

LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
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December 5, 2002

Captain Frank Merriman
Los Angeles County Sheriff's Department
Homicide Bureau
5747 Rickenbacker Road
Los Angeles, California 90040

Re: J.S.I.D. File #: 01-1079
L.A.S.D. File #: 001-08624-2923-055

Dear Captain Merriman:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the November 1, 2001, fatal shooting of Bernardo Rogelio Sanchez by Los Angeles County Sheriff's Deputies Brian Walker, Thomas Lanning, Jeffrey Barnes and Patrick Coussa. We have concluded that the deputies acted lawfully in self-defense and in defense of others.

The following analysis is based on reports prepared by the Los Angeles County Sheriff's Department (LASD), Homicide Bureau, submitted to this office by Detective David Castillo. The District Attorney's Command Post was notified of this shooting on November 1, 2001 at 5:18 p.m. A District Attorney Response Team comprised of Deputy District Attorney Karen Parsons and District Attorney Senior Investigator [redacted] responded to the scene of the shooting at 6:40 p.m. DDA Parsons and Investigator [redacted] were given a briefing and a "walk through" of the scene by Lieutenant Larry Lincoln at 7:50 p.m.

FACTUAL ANALYSIS

On November 1, 2001 at approximately 4:00 p.m., on-duty uniformed patrol Deputy Albert Garcia responded to a "Forgery now" call at the Bank of America branch located on Diamond Bar Boulevard in the Diamond Bar area of the County of Los Angeles. It took approximately three minutes for Deputy Garcia to arrive at the bank. When he

Criminal Courts Building
210 West Temple Street
Los Angeles, CA 90012-3210
WEBSITE: http://www.co.la.ca.us/da

arrived, he observed that Deputy Jose Munoz, his assigned "assist" unit, was already inside the location and talking with a male and female Hispanic. Deputy Garcia was informed by Deputy Munoz and bank personnel that the couple, later identified as Anabel Perez and David Pulido, entered the bank and attempted to cash a forged check. Deputy Garcia examined the check and determined that it was an obvious forgery.

Sergeant Robert Skudlarski arrived at the bank as the deputies engaged Perez and Pulido in conversation. Perez told the deputies that Pulido drove her to the bank along with another man and woman, later identified as Bertha Cervallos and Bernardo Sanchez. Perez pointed to a green Honda Civic which was sitting in the parking lot. She stated that they arrived in that car. According to Perez, Cervallos gave her the check and endorsed it to her name because Cervallos had no identification. Perez was to receive fifty dollars for cashing the check. As Perez was describing Cervallos and Sanchez, Deputies Walker and Lanning arrived at the bank. When he heard the description, Sergeant Skudlarski said that he had just passed a couple meeting that description walking through the parking lot.

Deputies Walker and Lanning left the bank in order to apprehend Cervallos and Sanchez. As they approached the driveway of the Washington Mutual Bank, a short distance from the Bank of America, they saw Cervallos and Sanchez walking on the sidewalk. They stopped their car in the driveway, got out and asked Cervallos and Sanchez to approach their car. Cervallos and Sanchez turned and began walking toward the deputies. When they were approximately fifteen feet away, Sanchez stepped in back of Cervallos, reached into his waistband and removed a revolver. Sanchez pointed the gun at the deputies and began firing in their direction.

Deputies Walker and Lanning both drew their service weapons. Deputy Lanning returned fire in Sanchez's direction. As he continued to fire at the deputies, Sanchez moved from the front towards the rear of the police vehicle where he attempted to crouch down and conceal himself. During the gunfight, Cervallos was lying on the ground at the front of the car. Sanchez ultimately ran past the patrol car, coming within feet of Deputy Lanning, while continuing to fire at both deputies. Sanchez ran out onto Diamond Bar Boulevard and towards Clear Creek Canyon Road. Deputy Walker immediately went to Cervallos, who was getting up from the ground, and attempted to handcuff her. Cervallos resisted his efforts. Deputy Lanning entered the patrol car and drove after Sanchez. Soon thereafter, Deputy Garcia arrived and assisted Deputy Walker in handcuffing Cervallos.

Deputies Barnes and Coussa were converging on the scene from opposite directions on Diamond Bar Boulevard. As Deputy Barnes neared the driveway of the Washington Mutual Bank, he observed Deputy Walker on the ground handcuffing Cervallos. He also saw Sanchez running across the street. Deputy Walker pointed toward Sanchez and yelled to Deputy Barnes that he had a gun. Deputy Barnes, still driving the patrol car,

followed Sanchez as he ran onto Clear Creek Canyon Road. As he reached the intersection with Cogburn Street, Deputy Barnes lost sight of Sanchez.

Deputy Barnes stopped his patrol car at the intersection of Clear Creek Canyon Road and Cogburn Street. Deputy Coussa pulled alongside Deputy Barnes' car and parked slightly ahead of him. As Deputy Barnes prepared to get out of his car with his gun drawn, he saw Sanchez run toward Deputy Coussa's patrol car, pointing the revolver and firing directly at Deputy Coussa's vehicle. Deputy Barnes said that he thought that Deputy Coussa was still in his car so he began shooting at Sanchez through his open driver's side window.

Deputy Barnes got out of his car and observed Sanchez standing on the lawn of a nearby residence. Sanchez was standing about fifteen feet from Deputy Coussa's patrol car. Sanchez was still pointing his gun at Deputy Coussa's car. Deputy Barnes said that he pointed his gun at Sanchez and fired at him again. According to Deputy Barnes, Sanchez ran to the edge of the grass near the driveway of a residence. Sanchez continued to point his gun in Deputy Coussa's direction. Deputy Barnes then fired another round of shots at Sanchez. Sanchez ran back across the grass, grabbed his chest, uttered a sound and fell to the ground. Sanchez was then handcuffed and the paramedics began rendering emergency assistance.

Deputy Coussa said that, when he arrived at Clear Creek Canyon Road, he saw Sanchez running down the street ahead of him. When he stopped at the intersection with Cogburn Street, he lost sight of Sanchez. As he reached across the car to retrieve his microphone, he heard a gun shot come from the right side of the car. When he looked up, he saw Sanchez running at his car firing at him with the revolver. Sanchez fired two more shots at him. Deputy Coussa indicated that he began firing at Sanchez through his open passenger window. He then opened his driver's door and "jumped" from the car to the ground. He continued to fire at Sanchez while he lay on the ground. Eventually, he took cover behind his vehicle's hood while continuing to fire at Sanchez. Deputy Coussa said that he made his way to the trunk of his vehicle, peered over and fired twice more. He then heard Deputy Barnes yell, "He's down, he's down." When he looked up again, Deputy Coussa saw Sanchez lying on the ground.

Both Deputy Barnes and Deputy Coussa stated that Deputies Garcia, Munoz and other LASD units began arriving at or near the end of the shooting. Both Deputy Lanning's and Deputy Coussa's patrol vehicles sustained significant damage from the shots fired by Sanchez. None of the involved deputies were struck by gunfire.

A large number of civilian witnesses were interviewed during the ensuing investigation. District Attorney personnel participated in the interviews of the civilian witnesses. Thirteen of the civilian witnesses were at or near the Washington Mutual Bank at the time of that shooting. These witnesses gave detailed accounts of Sanchez's initial assault on Deputies Lanning and Walker. Their accounts did not differ, in any significant respect, from the details provided by the deputies. Three witnesses observed the shooting at the intersection of Clear Creek Canyon Road and Cogburn Street. Again, their description of the events did not differ from the account given by Deputies Barnes and Coussa.

Los Angles County Fire Department paramedics began rendering emergency medical treatment to Sanchez at the scene. Sanchez was transported to San Dimas Community Hospital. Upon arrival, Sanchez was in full arrest. After unsuccessful resuscitation efforts, Sanchez was pronounced dead by emergency room physician Dr. Peek. On November 3, 2001, Los County Deputy Medical Examiner Solomon Riley, Md. performed an autopsy on Sanchez's body. He ascribed the cause of death as two penetrating gunshot wounds to the abdomen. Blood toxicology revealed the presence of both amphetamine and methamphetamine in Sanchez's post-mortem blood.

Sanchez had a [redacted]

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense or the defense of another actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams, (1977) 75 Cal.App.3d 731.

If one is confronted by the appearance of danger which arouses in his mind, as a reasonable person, an honest conviction and fear that he is about to suffer bodily injury, and if a reasonable person in a like situation seeing and knowing the same facts, would be justified in believing himself in like danger, and if the person so confronted acts in fear and honest conviction, his right of self-defense is the same whether such danger is real or apparent. People v. Jackson, (1965) 233 Cal.App.2d 639.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALJIC 5.30, 5.32

CONCLUSION

For reasons that will remain unknown, Sanchez, facing an investigative detention in an attempted forgery scheme, pulled a gun from his waistband and opened fire in a crowded suburban parking lot. In the process, he endangered the lives of four deputies and numerous civilian bystanders. From the eyewitness accounts, it is abundantly clear that Sanchez had every intention of killing the two deputies that he directly engaged in his gun battle. The actions of all four deputies who returned fire were, without a doubt, reasonable and necessary to preserve their lives and the lives of innocent civilians.

Having concluded that Deputies Walker, Lanning, Barnes and Coussa acted in lawful self-defense and in defense others when they shot Bernardo Sanchez, we are closing our file and will take no further action on this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

MICHAEL KENNETH PETTERSEN
Deputy District Attorney
(213) 974-7437

c: Deputy Brian Walker, #[redacted]
Deputy Thomas Lanning, #[redacted]
Deputy Jeffrey Barnes, #[redacted]
Deputy Patrick Coussa, #[redacted]

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: NOVEMBER 18, 2001 **FILE NO.:** 001-08624-2923-055

C: ATTEMPT MURDER ON A PEACE OFFICER, 664/187P.C., POSSESSION OF A FICTITIOUS CHECK, 476 P.C., DEPUTY INVOLVED SHOOTING, SUSPECT DECEASED.

ACTION: ACTIVE/ADDITIONAL INFORMATION/INVESTIGATION CONDUCTED/WITNESSES INTERVIEWED/EVIDENCE RECOVERED/CORONER'S CASE #2001-07939

V: SEE BELOW

D: NOVEMBER 1, 2001 @ 1555 HOURS

L: 1196 DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA

S: SEE BELOW

__Victims:__

#1- Walker, Brian #[redacted]
MW[redacted]
Los Angeles County Deputy Sheriff, Walnut Station

#2- Lanning, Thomas #[redacted]
WH[redacted]
Los Angeles County Deputy Sheriff, Walnut Station

#3- Barnes, Jeffrey #[redacted]
MW[redacted]
Los Angeles County Deputy Sheriff, Walnut Station

#4- Coussa, Patrick #[redacted]

MW[redacted]
Los Angeles County Deputy Sheriff, Walnut Station

#5- [redacted]
MH/26

Suspects:

#1- Cervallos, Bertha Alicia
FH/39 DOB 3-25-62
CDL[redacted]
CII[redacted]
FBI[redacted]
CDC[redacted]
BKG-7068-543

#2- Perez, Anabel
FH/41 DOB 9-9-60
CDL[redacted]
CII[redacted]
FBI[redacted]
BKG-7068-645

#3- Pulido, David Anthony
MH/35 DOB 7-10-66
CDL[redacted]
CII[redacted]
FBI[redacted]
BKG-7068-661

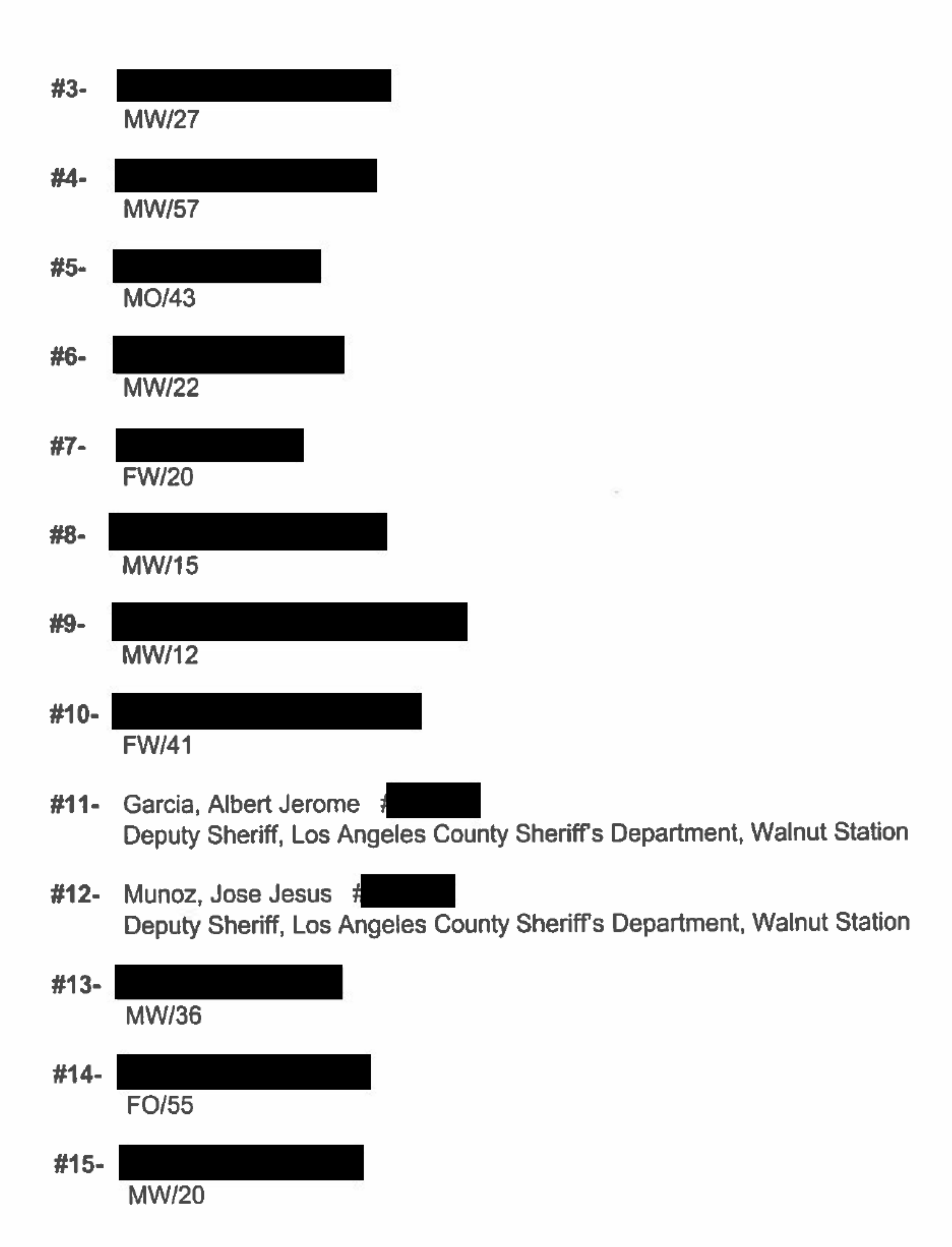
#4- Sanchez, Bernardo Rogelio
(DECEASED)
MH/31 DOB 9-26-73
CDL[redacted]
CII[redacted]
FBI[redacted]
CDC-J76563

Witnesses:

#1- [redacted]
FH/21

#2- [redacted]
FH/20





#3- [redacted]
MW/27

#4- [redacted]
MW/57

#5- [redacted]
MO/43

#6- [redacted]
MW/22

#7- [redacted]
FW/20

#8- [redacted]
MW/15

#9- [redacted]
MW/12

#10- [redacted]
FW/41

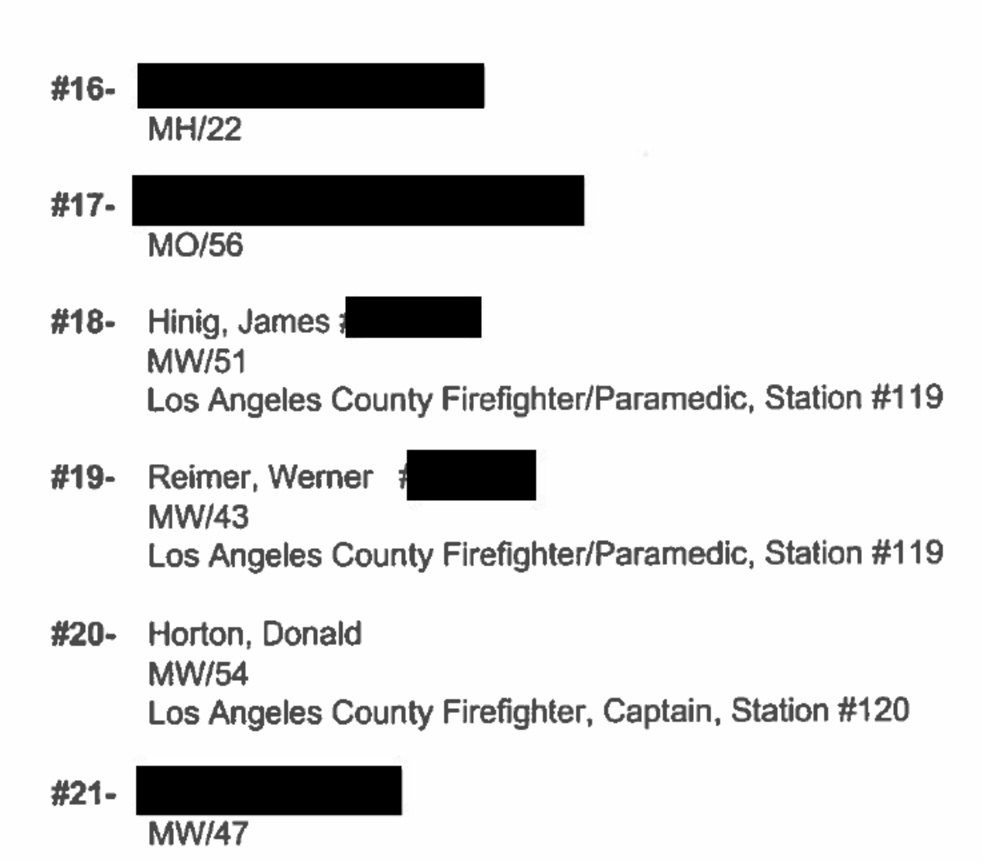
#11- Garcia, Albert Jerome #[redacted]
Deputy Sheriff, Los Angeles County Sheriff's Department, Walnut Station

#12- Munoz, Jose Jesus #[redacted]
Deputy Sheriff, Los Angeles County Sheriff's Department, Walnut Station

#13- [redacted]
MW/36

#14- [redacted]
FO/55

#15- [redacted]
MW/20



#16- [redacted]
MH/22

#17- [redacted]
MO/56

#18- Hinig, James [redacted]
MW/51
Los Angeles County Firefighter/Paramedic, Station #119

#19- Reimer, Werner [redacted]
MW/43
Los Angeles County Firefighter/Paramedic, Station #119

#20- Horton, Donald
MW/54
Los Angeles County Firefighter, Captain, Station #120

#21- [redacted]
MW/47

Evidence:

#40- Deputy Lanning's service weapon, Beretta, 9mm handgun, Model 92F, semi-automatic, Serial Number, BE[redacted]Z, loaded with fifteen live departmental issued 9mm bullets in the magazine and one live departmental issued 9mm bullet in the chamber. The handgun was in the safe position. Deputy Lanning also had a 9mm magazine loaded with one live departmental issued 9mm bullet. Crime Lab Receipt #J201371.

#41- Deputy Barnes' service weapon, Beretta, 9mm handgun, Model 92FS, semi-automatic, Serial Number, [redacted] loaded with two live departmental issued 9mm bullets in the magazine and one live departmental issued 9mm bullet in the chamber. The handgun was in the safe position. Crime lab Receipt J201371.

#42- Deputy Coussa's service weapon, Beretta, 9mm handgun, Model 92FS, semi-automatic, Serial Number, BE[redacted] loaded with four live departmental issued 9mm bullets in the magazine and one live departmental issued 9mm bullet in the chamber. The handgun was in the safe position. Crime Lab Receipt J201371.

#43- Projectile recovered from the body of Suspect Bernardo Sanchez during the autopsy performed on November 3, 2001, by Doctor Riley of the Los Angeles County Coroner's Office. Crime lab Receipt #J177492

EVIDENCE RECOVERED FROM PATROL VEHICLES:

JBW #1- One bullet core recovered from the passenger front door of Deputy Lanning's patrol vehicle, SR32047.

JBW #2- One bullet core recovered from the driver's side rear deck of Deputy Lanning's patrol vehicle, SR32047.

JBW #3- One bullet jacket and lead core recovered from the driver's side rear passenger floorboard of Deputy Lanning's patrol vehicle, SR32047.

JBW #4- One bullet jacket fragment recovered from the carpet at the rear deck tail light of Deputy Lanning's patrol vehicle, SR32047.

JBW #5- One bullet fragment recovered from the front passenger floorboard of Deputy Lanning's patrol vehicle, SR32047.

JBW #6- One copper jacket bullet fragment recovered from the front passenger seat of Deputy Lanning's patrol vehicle, SR32047.

JBW #7- One expended .22 caliber bullet recovered from inside the right rear tire of Deputy Lanning's patrol vehicle, SR32047.

JBW #8- One copper jacket bullet fragment recovered from the rear driver's side passenger seat of Deputy Coussa's patrol vehicle, SD1580.

JBW #9- One copper jacket bullet fragment recovered from the front passenger seat of Deputy Coussa's patrol vehicle, SD1580.

JBW #10- One lead bullet core recovered from the right side back-up light of Deputy Coussa's patrol vehicle, SD1580, corresponding projectile strike, labeled "X" for identification purposes.

JBW #11- One bullet recovered from the light bar of Deputy Coussa's patrol vehicle, SD1580, corresponding projectile skip, labeled "S" for identification purposes.

JBW #12- One 9mm shell casing, "Luger", recovered from the driver's side floorboard of Deputy Barnes patrol vehicle, SD1566.

JBW #13- One 9mm shell casing, "Luger", recovered from the center console bucket of Deputy Barnes patrol vehicle, SD1566.

JBW #14- One 9mm shell casing, "Luger", recovered from the right side of the shotgun rack of Deputy Barnes patrol vehicle, SD1566.

JBW #15- One 9mm shell casing, "Luger", recovered from under the shotgun rack of Deputy Barnes patrol vehicle, SD1566.

JBW #16- One 9mm shell casing, "Luger", recovered from the right rear floorboard of Deputy Barnes patrol vehicle, SD1566.

JBW #17- One 9mm shell casing, "Luger", recovered from the right rear floorboard, between the door and seat of Deputy Barnes patrol vehicle, SD1566.

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On November 1, 2001 at 1715 hours, Investigators were detailed to the location to conduct an investigation into the circumstances surrounding the shooting death of Suspect Bernardo Rogelio Sanchez. The weather was clear and cool.

At 1910 hours, Investigators arrived at the location and contacted Deputy Albert Garcia. #[redacted] Deputy Garcia told Investigators he was assigned to Walnut Unit, 292 K1, on the PM Shift. Deputy Garcia said he was the handling unit, regarding the deputy involved shooting.

At 1915 hours, Investigators contacted Los Angeles County Sheriff's Department Crime Scene Investigators, Deputy Mario Cortez #[redacted] and Deputy Kathleen Mullen #[redacted] and Forensic Identification Specialists, Fred Roberts #[redacted] and William Leo #[redacted] At the direction of Investigators, they photographed, processed and sketched the crime. Refer to their detailed reports for their actions and observations.

At 1925 hours, Deputy Garcia gave Investigators a walk through of the scene. During the walk through, Deputy Garcia told Investigators that at 1555 hours, he responded to a "Forgery Call"

at the Bank of America located at 1196 South Diamond Bar Boulevard, in the city of Diamond Bar. Deputy Garcia said he arrived at the bank and met Walnut Unit, 292K2, Deputy Jose Munoz [redacted] He said he entered the bank and he along with assisting Deputies detained Suspects Anabel Perez and David Pulido regarding a check forgery investigation. Deputy Garcia told Investigators while he was in the bank, detaining the two suspects, he received emergent radio traffic indicating that Deputy Sheriffs had been involved in a shooting.

Deputy Garcia said he exited the bank and learned that Deputy Sheriff's from Walnut Station had been involved in a shooting with a male Hispanic (Suspect Bernardo Sanchez) who had arrived at the bank with Suspects, Anabel Perez and David Pulido. Deputy Garcia told Investigators there were two separate locations where the deputy involved shooting took place. He said the first shooting took place near the Washington Mutual Bank, located north of the Bank of America. Deputy Garcia said the second deputy involved shooting took place at the corner of Clear Creek Canyon Road and Cogburn Lane. Deputy Garcia told Investigators that after the shooting on Clear Creek Canyon Road and Cogburn Lane, the Suspect Sanchez was subsequently transported to San Dimas Community Hospital, where he was pronounced dead by the Emergency Room Physician.

At the conclusion of the walk through, Investigators directed Homicide Detectives, Tommy Harris [redacted] Larry Brandenberg [redacted] and Robert Harris [redacted] to document and process the scene. Investigators then went to Walnut Sheriff's Station to interview all witnesses to this incident.

During the interview with the witnesses, two rough drafts were drawn depicting the intersections of Grand Avenue and Diamond Bar Boulevard. The businesses along the east side of Diamond Bar Boulevard beginning at the Bank of America located at the northeast corner of Grand Avenue and Diamond Bar Boulevard and proceeding north to the Washington Mutual Bank, located on the north side of the shopping complex. It also depicted the intersections of Diamond Bar Boulevard and Clear Creek Canyon Road and Clear Creek Canyon Road and Cogburn Lane. These drafts were used during the interviews to assist the witnesses with their recollection of the incident.

On 11-01-01 at 2110 hours, Investigators interviewed **WITNESS #1** [redacted] at Walnut Sheriff's Station. Present during the interview were Los Angeles County Deputy District Attorney Karen Parsons, Los Angeles County Deputy District Attorney Investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg.

Witness [redacted] stated she was parked in the parking lot of the Diamond Bar Towne Center shopping complex, facing in a southwest direction. She was west of the Washington Mutual

Bank and the Whole Enchilada Restaurant situated between the two businesses. Also in the car, were her [redacted] and her [redacted] As they were sitting in the car, she observed a patrol car stopped in the driveway, directly in front of the Washington Mutual Bank, facing toward Diamond Bar Boulevard (east). She said two deputy sheriff's were standing outside the patrol car, one by the front of the car and the other deputy was at the rear of the car. She observed a female Hispanic and a male Hispanic walking from the sidewalk paralleling Diamond Bar Boulevard, toward the deputies.

Witness [redacted] described the female as having blonde hair and wearing a black shirt and the male was wearing a white shirt and beige pants.

She said the deputy standing at the front of the patrol car walked out toward the sidewalk as if preventing the male and female from continuing to walk on the sidewalk. She said the deputy made motions as if directing the two persons to walk toward the patrol car. She said the male and female walked up the driveway on the driver side of the patrol car. As they walked, the male Hispanic began moving around, acting as if he was not going to cooperate, as the female walked on the left side of him. She said they began walking toward the back of the patrol car, not cooperating with the deputy who was telling them to walk to his car. As the male and female walked away from the deputy, both deputies placed their hands on their guns, reacting to the actions of the male and female. The female looked at the male, then moved in front of him, as the male lifted the front of his shirt and removed a handgun from the front waistband area of his pants. Upon seeing this, the deputies drew their guns. The female ran to the rear of the patrol car and continued in a north direction, toward the bank.

Witness [redacted] stated the male shot at the deputy who was at the front of the patrol car. As he did this, the deputy who was at the rear of the car ran toward the front of the car. She ducked inside her car, while grabbing her [redacted] She looked in the direction of the deputies and could see that the shooting was continuing, so she started up her car, backed up, placed the transmission in drive and drove over to the front of the Ralph's Market located on the west side of the shopping center. She said her [redacted] was inside the market with her [redacted] at the time of the incident.

Witness [redacted] estimated the distance she was at from the location where the shooting was occurring as being approximately 50'and indicated that she had an unobstructed view of the shooting. She said the deputies were shooting in a east direction and the male was shooting in a west direction, toward Diamond Bar Boulevard.

Witness [redacted] stated that when she observed the male Hispanic shoot at the deputies, she observed the deputies take cover behind the patrol car. She said the deputy that was initially standing at the front of the car began shooting at the male Hispanic. She said the male



Hispanic just stood there and continued shooting at the deputies. She estimated the distance between the deputies and the male Hispanic as being approximately 24'.

She described the position of the deputies as being at the front of the car as they returned fire at the male Hispanic.

She said the female ran toward the Washington Mutual Bank. She said that was when she decided to get out of the area and drove over to the market. She did not observe which direction the male and female ran to as she drove away. She did continue to hear shots being fired as she drove away. She said as she arrived in front of Ralph's Market she heard two additional shots. She indicated that she did not know how many shots were fired during the incident. The interview was concluded.

At 2140 hours, Investigators interviewed **WITNESS #2** [redacted] Present during the interview were Deputy District Attorney Karen Parsons, Deputy District Attorney Investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg.

Witness [redacted] stated she, Witness [redacted] and her [redacted] were inside Witness [redacted] car, parked in the parking lot of the Diamond Bar Towne Center shopping complex. She said she was seated in the right front passenger seat and they were parked in the third parking stall west of the Washing Mutual Bank. She estimated the time they were parked at that location as being approximately 1650 hours. She said her attention was drawn to a patrol car that was parked in the driveway in front of the Washington Mutual Bank. She said she was curious as to why the two deputies were standing outside of the patrol car, by the front of the car.

Witness [redacted] was shown a hand drawing of the lay out of the west side of the shopping center. She positioned the deputies, indicating that one was by the driver's front fender side of the car and the other deputy was by the passenger left front passenger side fender. She said she observed a male and female Hispanic walking on the sidewalk in the direction (north) of the deputies. She observed the deputies motion for the male and female to walk toward their patrol car. She said she could not hear any verbal commands because the windows on the car she was in were rolled up. She said the male and female walked toward the patrol car then began walking to the back of the car. She said as the male was about to the middle of the patrol car, he began backing up as he produced a handgun from the front of his pants and continued to the back of the car, when he fired the shots.

Witness [redacted] said the female turned and began walking toward Diamond bar Boulevard as the male removed a gun from the front waist band area of his pants and pointed it the deputy who was standing on the driver's side of the patrol car. The deputy drew his gun and the male fired three shots at the second deputy. She said as she saw the shooting unfold, she grabbed Witness [redacted] and pushed her to the floor of the car. She then rolled the

window down on the door she was watching the incident out of and heard people talking in loud voices. She saw the back window of the patrol car shatter as the male fired in the direction of the deputies. She said she saw the deputy on the driver side of the patrol car, fire two shoots at the male and assumed the male ran past the deputies because she did not see him any more. She said Witness [redacted] started the car and drove over to the Ralph's Market and she did not see or hear anything else. She said that one of the deputies entered the patrol car and drove after the male who had run into the street. Witness [redacted] was asked to place markings on the rough drawing indicating the position she observed the deputies at and the position she observed the male and female at as they initially came in contact with the deputies and their position during the shooting.

Witness [redacted] described the female Hispanic as having blonde hair which was up, wearing black roots and jeans and a light gray or white shirt. The interview was concluded.

At 2200 hours, Investigators interviewed **WITNESS #3** [redacted] Present during the interview were Deputy District Attorney Karen Parson, Deputy District Attorney investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg. The interview was tape recorded.

Witness [redacted] state he resides in the apartment complex known as the [redacted] which area located behind the shopping complex on the west side of Diamond Bar Boulevard. His apartment over looks the church property located on the [redacted] corner of Diamond Bar Boulevard and Clear Creek Canyon Road and the front yard of the residence at the [redacted] corner of Clear Creek Canyon Road and Cogburn Lane.

Witness [redacted] stated he was inside his bedroom with the window open when he heard approximately ten shots emanate from a direction east of his location. He looked out his bedroom window and observed a patrol car stopped in the driveway, in front of the Washington Mutual Bank. He heard his [redacted] shout that there was a male running across Diamond Bar Boulevard which he could not see from his vantage point. Approximately a minute later, he heard approximately 10-12 additional shots, he ran from his room to [redacted] room. He looked out the window and observed a deputy, exit the driver's door of his patrol car and take cover behind it, to avoid the gunfire. He said the deputy appeared to be shooting in the direction of the male Hispanic, who was pointing a gun at the deputy. He said, due to the distance he was making his observations from, an estimated [redacted] yards away, he was unsure who was shooting. He said it appeared that there was an altercation between the male Hispanic and the deputy, because it appeared they were exchanging gunshots at one another. He said another patrol car arrived and that deputy took cover behind his patrol car, but could not recall if that deputy had shot at the male Hispanic. He said he recalled vividly seeing the male Hispanic running around in the front yard of the

residence on the northeast corner of Cogburn Lane and Clear Creek Canyon Road, then seeing him laying on the front yard after the shooting.

After the male Hispanic was on the ground, additional deputies arrived at the residence. He said a couple of minutes after the shooting had stopped, he and [redacted] walked down to the church parking lot to get a closer look. He said they arrived in the north parking lot of the church before the paramedics arrived.

Investigators asked him if he had heard any statements made by the deputy or the male Hispanic during the incident. He said no. Witness [redacted] was asked to make some markings on one of the rough drafts to indicate the location of the patrol car he observed stopped in the driveway in front of the Washington Mutual bank and the location he saw the patrol car stopped in front of at the time the male Hispanic was shot. The interview was concluded.

At 0000 hours, Investigators interviewed **WITNESS #4** [redacted] Present during the interview were Deputy District Attorney Karen Parson, Deputy District Attorney Investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg.

Witness [redacted] stated he was parked directly behind the patrol car which was parked in front of the Washington Mutual Bank when the incident occurred. He estimated the time as being approximately 1600 hours. He said initially, when he first drove in to the driveway in front of the bank, he observed the deputies driving west, toward Diamond Bar Boulevard in the same driveway in front of him. He said the deputies pulled out onto Diamond Bar Boulevard, stopped and backed up parking their patrol car in front of his truck. He said the deputies were approximately fifteen feet away from him.

Witness [redacted] said he observed a male Latino and a female Latino walking north on the sidewalk paralleling Diamond Bar Boulevard toward the deputies. He said the overhead light bar was activated and the deputy who was driving asked the male and female to please walk toward their patrol car. He said the male and female began walking very slowly toward the patrol car and as they did he heard the female scream. One of the deputies told the male and female to stop. The male began backing up the driveway and was approximately ten feet away from him, when he observed the male lift up his shirt and pull out a revolver from the front waist band area of his pants and fired two shots. As the male fired two shots at the deputies, the female dropped to the ground and began screaming, "Why are you doing this?"

Witness [redacted] said the two deputies took cover behind the patrol car as the male walked to the rear of the same car and walked to the north side (passenger side) of the patrol car then charged at the deputies as he fired three shots at them. One of the deputies lifted his head up and fired two shots at the male, as he ran into the street (Diamond Bar Boulevard).

Investigators asked him where the female was at, as the male ran across the street. He said the female was by the front of the car being held down by one of the deputies. He said she did not appear to be struggling with the deputy. The male continued in a northwest direction across Diamond Bar Boulevard onto the lawn of a church by a big tree where he lost sight of the male. He observed a second patrol drive north passing the driveway in front of the bank chasing the male. He said at this time someone opened the doors of the bank and he ran inside.

He was asked if he had heard any statements by the deputies after the shooting. He said he heard one of the deputies telling the female to stay down. He heard one of the deputies shout at the male to stop then fired two shots at the male. He said the male who was still holding the revolver did not return fire as he ran. He described the weapon as being a large caliber revolver.

He was asked what happened to the female after the shooting. He said she was handcuffed and placed in a patrol car. The interview was concluded.

At 2245 hours, Investigators interviewed **WITNESS #5** [redacted] Present during the interview were Deputy District Attorney Karen Parson, Deputy District Attorney Investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg.

Witness [redacted] said he was driving north on Diamond Bar Boulevard when he observed a patrol car stopped in the driveway in front of the Washington Mutual Bank. He said both doors on the car were open and he observed one of the deputies at the front driver door as he was being shot at by a male, who was firing a revolver in a rapid manner. He stopped his car in the street, exited the driver's door and took cover underneath his car. He said he heard a total of 10-15 shots, which were fired by the male and the deputies during the shooting incident at the bank. During the shooting, he heard the deputies shouting for the male to stop, drop the gun, and lay down. He observed one of the deputies holding onto a female, while telling her to get down. He said the female was not cooperating with the deputy as she continued to stand up. He said the female finally was pushed onto the ground and remained there as the male with the gun ran across Diamond Bar Boulevard, in the direction of the church.

Witness [redacted] said the male was running and shooting at the deputies as if he were committing suicide. He said the female was jumping around and acting as if she was on drugs.

He said when the male arrived on the west side of Diamond Bar Boulevard, he heard 2 -3 shots, then two to three minutes later, he heard several additional shots. He said he was certain the shots were not fired by the deputies in front of the bank, because he could see that these deputies were not shooting.



Witness [redacted] said that when the shooting stopped, he entered his car, backed up and drove away from the immediate area. The interview was concluded.

At 2305 hours, Investigators interviewed **WITNESS #6** [redacted] Present during the interview were deputy District Attorney Karen Parson, Deputy District Attorney Investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg.

Witness [redacted] said he lives in the apartments west of the church and faces the Washington Mutual Bank. He was in his bedroom when he heard several shots (5-10) emanating from the direction of the bank. He looked out his bedroom window running from the bank across Diamond Bar Boulevard toward the church. He watched the male Hispanic, who was wearing a dark shirt and blue jeans, run onto Clear Creek Canyon Road toward Cogburn Lane, turn the corner (North bound) and hide behind the bushes of the house at the northeast corner of Cogburn Lane and Clear Creek Canyon Road.

Investigators asked him if he had seen anything in the males hands as he ran. He said no. He said a patrol car drove onto Clear Creek Canyon Road traveling in the same direction as the male Hispanic. As the patrol car turned onto Cogburn Lane, it stopped in front of the corner house. He said the male ran north in the front yard, then turned around and ran back toward the bushes he had been hiding in and continued running back and forth. He said the male appeared confused. He said the first deputy exited his car by rolling out of his car and ran to the back of his car and shot at the male in the front yard. Within seconds of the first deputy's arrival, a second patrol car arrived and parked on Clear Creek Canyon Road, stopping at the intersection with Cogburn Lane. He said the deputy in this car took cover behind his car. He did not see this deputy shoot because there was a tree blocking his view.

Witness [redacted] estimated the distance he was making his observations of the incident as being approximately 75 yards away. Investigators asked if he had heard any statements made by the deputies or the male during the incident. He said no. He was asked if he had seen anything in the males hands as the male was in the front yard. He said he did not see anything in his hands. He was asked if the reason he did not hear any statements or see anything in the males hands was due to the distance he was making his observations from. He said that it was definitely possible. He was asked if the male appeared to shoot at the deputy. He said it did not appear that way to him.

He heard approximately 10 - 15 shots during the incident in the front yard. He said after several shots had been fired, the male dropped to the ground. He said after the shooting he, his roommate Witness [redacted] and [redacted] walked out of his apartment over to the church property and observed patrol cars at the Washington Mutual Bank. After observing this, they walked to the parking lot on the north side of the church and saw the male laying on



the front yard of the corner residence. He said paramedics arrived and began administering medical aid to the male. The interview was concluded.

At 2320 hours, Investigators interviewed **WITNESS #7** [redacted] Present during the interview were Deputy District Attorney Karen Parson, Deputy District Attorney Investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg.

Witness [redacted] stated she was at her [redacted] (Witness [redacted] apartment, in the bedroom talking with Witness [redacted] when she heard approximately 10 shots emanate from a direction east of the apartment. She looked out the east facing window and observed a male, wearing a navy blue shirt and jeans, running west on Clear Creek Canyon Road and turn north onto Cogburn Lane and enter the front yard of the house at the northeast corner. She said there were approximately three patrol cars driving on Clear Creek Canyon Road following the male.

Witness [redacted] said one of the patrol cars turned onto Cogburn Lane and stopped in front of the corner house at which time, she heard gunshots. She said the deputies were not out of their cars at the time of these shots. She observed the male standing in the front yard, in a position that indicated to her that he was shooting at the deputy. She described his position as facing the deputies with his hands extended in front of him. She said the deputy, opened the driver's door of his car and rolled onto the street and made his way to the back of the patrol car. She said it appeared the male was shooting at the deputy although she could not see a gun in his hand from the distance she was making her observations from. She said at the time of the shots, there were possibly three patrol cars in the area of the corner residence. She said the deputies were taking cover behind their patrol cars, which also made her think the male was shooting at the deputies. She said she heard approximately 10 shots emanating from the intersection of Clear Creek Canyon Road and Cogburn Lane.

Witness [redacted] said she and her [redacted] walked over and stood across the street from the Washington Mutual Bank talking to some people, then walked over to the north parking lot of the church and observed paramedics administering medical aid to the male. She said it was at this time, she noticed that the male was Hispanic.

She said the event occurred very fast and estimated the time between the first shooting and the second as being 1 -2 minutes apart. The interview was concluded.

At 2335 hours, Investigators interviewed **WITNESS #8** [redacted] Present during the interview were Deputy District Attorney Karen Parson, Deputy District Attorney Investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg.



Witness [redacted] stated he was seated in his [redacted] car stopped in the drive thru of the Washington Mutual Bank which is located on the west side of the bank. He said they were facing south. He observed a male Hispanic run into driveway in front of the bank. He observed a patrol car stop facing west in the driveway in front of the bank. He said the deputies were outside the car standing on both sides of the car. He said the male pulled out a revolver from the front waistband area of his pants and fired 7-8 shots at the deputies. The male ran around the back of the patrol car, to the passenger side of the car and continued shooting at the deputies as he ran toward Diamond Bar Boulevard. He said as the male was on the sidewalk, the deputies fired approximately 4 - 5 shots at the male. He said after the male ran away, he observed deputies struggling with a female who was being detained.

Witness [redacted] said the male ran into a neighborhood across from the bank and he observed the male enter the front yard of the residence at the corner of Clear creek canyon Road and Cogburn Lane. He said a deputy arrived at the corner and he saw the male fire approximately 3 - 4 shots at the deputy, before the deputy had exited his car.

Witness [redacted] said additional patrol cars arrived at the corner and he heard additional shots and thinks he saw the male drop to the ground. He said he did not see the deputies shoot because his vision was blocked by a wall.

Investigators asked him if he had heard any statement made by the deputies or the male during the incident. He said no. He was asked about his position in the car. He said he was seated in the right rear passenger seat. The interview was concluded.

At 2353 hours, Investigators interviewed **WITNESS #9** [redacted]
Present during the interview were Deputy District Attorney Karen Parson, Deputy District Attorney Investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg.

Witness [redacted] stated he was seated in the front passenger seat of his [redacted] car, in the drive thru lane of the Washington Mutual Bank. He said he observed a male and female walk onto the driveway in front of the bank. He said there was a patrol car parked in front of the bank. He said the deputies were outside of the car and pointed their flashlights at the male and the female. He said the male lifted up his shirt and pulled out a gun and fired 5 - 6 shots at the deputies. He said the deputies shot back at the male as he was behind the patrol car. He said the male ran around the car, then ran toward the street, crossing it. He said the male ran to the front yard of a residence located at the corner of Clear Creek Canyon Road and Cogburn Lane. He saw a deputy shouting for the male to stop. He saw three to four patrol cars in the area of the residence at the corner and does not recall how many deputies shot, but thinks there were at least two deputies who shot. He said he could not see the male Hispanic at the time of the shots.

Investigators asked him if he had seen what happened to the female. He said he saw the deputies struggling with her during the incident and she was arrested and placed in a patrol car. The interview was concluded.

On 11-02-01 at 0005 hours, Investigators interviewed **WITNESS #10** [redacted] Present during the interview were Deputy District Attorney Karen Parson, Deputy District Attorney Investigator [redacted] and Internal Affairs Bureau Sergeant Michael Berg.

Witness [redacted] stated she was stopped in the drive thru lane of the Washington Mutual Bank when she observed deputies exiting the front of the bank. She said the next thing she saw and heard were shots being fired by a male Hispanic, at the deputies who were standing in the area of the patrol car. She said the male Hispanic was directly at the back area of the car as he fired the shots. She said he fired approximately 5 - 6 shots.

Witness [redacted] said she became fearful and began backing up in the drive thru lane. As she did this one of her [redacted] told her to stop because the male had run across the street. She looked in the direction of the church located across the street from the bank, and saw the male running on Clear Creek Canyon Road toward a residential neighborhood. She said she heard additional shots emanating from the area the male ran to, but did not see who was responsible for the shots. She said at the time of the shots she was driving forward in the drive thru to finish her transaction. The interview was concluded.

At 0030 hours, Investigators conducted an interview with **WITNESS #11, DEPUTY ALBERT GARCIA #**[redacted] at Walnut Station. Sergeant Michael Berg of Internal Affairs Bureau was present for the interview.

Deputy Garcia said he has been a Los Angeles County Deputy Sheriff for the past eight years. He said he has been assigned to Walnut Station sine January of 2001. Deputy Garcia said yesterday, (11-1-2001) he was assigned to Walnut Station, Unit 292K1, on the PM Shift. Investigators observed that Deputy Garcia was dressed in a Class A, short sleeve uniform. He was asked if he was wearing the same Class A uniform during his shift yesterday. He told Investigators he was.

Deputy Garcia said yesterday during his shift, he received a "Forgery Now" call at the Bank of America. He said he was the handling unit, and his assisting unit was, Deputy Munoz , Unit 292K2. Deputy Garcia said he received the call when he was at the intersection of Golden Springs and Gateway. He said after receiving the radio call, it took him approximately three minutes to arrived at the Bank of America. Deputy Garcia told Investigators that prior to his arrival at the bank, Deputy Munoz had already arrived. He said after arriving at the bank, he entered the bank and contacted Deputy Munoz. Deputy Garcia said that Deputy Munoz

advised him he was investigating a possible forged check which a male and female (Suspects Anabel Perez & David Pulido) were attempting to cash at the bank.

Deputy Garcia said Deputy Munoz handed him the check which he (Deputy Garcia) examined to determine its authenticity. He said while he studied the check, he noted the check appeared to have been altered. Deputy Garcia told Investigators he asked Suspect Anabel Perez if she was attempting to cash the check. She replied yes. He said he asked Suspect Perez if she was at the bank with Suspect David Pulido. Suspect Perez told Deputy Garcia that she and Suspect Pulido came to the bank together. Deputy Garcia said he asked Suspect Perez where she had obtained the check. She told him that a female (Suspect Bertha Cervallos) outside the bank had given her the check. Suspect Perez told Deputy Garcia that Suspect Cervallos asked her to cash the check, because she (Suspect Cervallos) did not have proper identification. Deputy Garcia told Investigators that Suspect Perez also told him that Suspect Cervallos was with a male Hispanic (Suspect Bernardo Sanchez) outside of the bank.

Deputy Garcia said he asked Suspect Perez to look out the bank's window and point out Suspects Cervallos and Sanchez. He said Suspect Perez looked out the north window of the bank and pointed to a green Honda. Deputy Garcia said there was no one seated in the Honda at that time. He told Investigators he asked Suspect Perez to describe Suspect Cervallos. Deputy Garcia said she described Suspect Cervallos as a female Hispanic, with blond hair and acne. Deputy Garcia said that Deputy Munoz obtained identification from Suspects Perez and Pulido. He said Deputy Munoz exited the bank to check if either Suspect Perez or Suspect Pulido had any outstanding warrants. Deputy Garcia said while he was talking with a bank teller, he heard emergent radio traffic, indicating there was a deputy involved in a shooting, at Clear Creek Canyon Road and Diamond Bar Boulevard.

Deputy Garcia said after hearing the emergent radio traffic, he exited the bank and ran to his patrol vehicle and drove northbound on Diamond Bar Boulevard from the Bank of America. Deputy Garcia said as he traveled northbound, he observed Deputy Walker detaining a female (Suspect Cervallos) near the driveway of the Washington Mutual Bank. He said Deputy Walker was by himself, and there was no patrol vehicle at his location. Deputy Garcia stopped his patrol vehicle in the driveway of the Washington Mutual Bank and assisted Deputy Walker. He told Investigators Deputy Walker asked him to handcuff Suspect Cervallos. He said he placed the suspect in handcuffs, quickly searched her, then put her in the backseat of his patrol vehicle. He was asked if Suspect Cervallos offered any resistance. He said no.

Deputy Garcia said as he placed handcuffs on Suspect Cervallos, Deputy Walker told him that his partner, Deputy Lanning had chased a suspect (Suspect Sanchez) north on Diamond Bar Boulevard, to Clear Creek Canyon Road. Deputy Garcia said while en route to Clear Creek Canyon Road, Deputy Walker told him that he and Deputy Lanning had been shot at by a male Hispanic who was wearing a blue shirt. He said Deputy Walker also told him that Suspect

Cervallos was with Suspect Sanchez at the time of the shooting. Deputy Garcia said when they arrived at Clear Creek Canyon Road, he exited his patrol vehicle, and heard on the radio that paramedics had been requested for Suspect Sanchez. He was asked if he heard any gunshots at Clear Creek Canyon Road. He said no.

Deputy Garcia was asked what he observed when he arrived at Clear Creek Canyon Road. He told Investigators he saw three patrol vehicles parked at the intersection of Clear Creek Canyon Road and Cogburn. He said he remained at that location for approximately one minute, then he returned to the Bank of America. Deputy Garcia said when he left, he drove another patrol vehicle, not his own. He said Suspect Cervallos was still in the backseat of his patrol vehicle, which was still at Clear Creek Canyon Road and Cogburn. He said Deputy Walker also remained at Clear Creek Canyon Road and Cogburn. He told Investigators when he arrived at the Bank of America, Suspect Perez and Pulido were still at the bank. He said there were no deputies detaining them when he returned. Deputy Garcia said he arrested both suspects and placed them in the rear seat of the patrol vehicle that Deputy Barnes was driving. Deputy Garcia said he had learned that there had also been a shooting at the Washington Mutual Bank. He told Investigators he then drove Deputy Barnes' patrol vehicle to the Washington Mutual Bank and began to contain the scene. The interview was concluded.

At 0055 hours, Investigators conducted an interview with **WITNESS #12, DEPUTY JOSE MUNOZ #**[redacted] at Walnut Station. Sergeant Berg of Internal Affairs Bureau was present for the interview.

Deputy Munoz said he has been a Los Angeles County Deputy Sheriff for the past seven years. He said he has been assigned to Walnut Station for two and a half years. Deputy Munoz said yesterday (111-2001), he was assigned to Unit 292K2, on the PM Shift. He said he was a one man unit, working the city of Diamond Bar, Investigators observed he was wearing a Class A, short sleeve uniform. He was asked if he was wearing the same Class A uniform yesterday during his shift. He said he was.

Deputy Munoz said yesterday, at approximately 1600 hours, he received a "Forgery Now" call at the Bank of America. He said he was the assisting unit, and Unit 292K1, Deputy Garcia was the handling unit. Deputy Munoz told Investigators he was close to the bank, and he arrived within two minutes and was the first Deputy Sheriff to arrive at the bank. Deputy Munoz said he entered the north facing door and contacted Suspects Perez and Pulido. He said both suspects were inside the bank, near the east door. Deputy Munoz said he contacted Suspect Pulido and asked him why he was in the bank. Suspect Pulido said he had driven Suspect Perez to the bank to cash a check. Deputy Munoz told Investigators as he spoke with Suspect Pulido, Suspect Perez approached them and handed Deputy Munoz two checks. Deputy Munoz said Suspect Perez told him that the bank did not want to cash the checks.

Deputy Munoz said that Suspect Perez told him that she believed the two checks were good. Deputy Munoz said he asked Suspect Perez if the checks were hers. She told him the two checks belonged to a female (Suspect Cervallos) who was outside the bank, in a green car. Deputy Munoz said he looked outside and observed a green vehicle parked in the bank parking lot. He said Suspect Perez told him Suspect Cervallos endorsed the checks to her, because she (Suspect Cervallos) did not have any identification. Deputy Munoz said Suspect Perez told him that Suspect Cervallos asked her to cash the checks because she (Suspect Perez) did not have identification.

Deputy Munoz said he obtained identification from Suspect's Perez and Pulido. He said at this point, Deputy Garcia arrived at the bank. He told Deputy Garcia he was investigating a possible forgery, and that there may be an additional suspect in the parking lot of the bank, seated in a green vehicle. Deputy Munoz told Investigators he exited the bank and noticed there was no one seated in the green vehicle in the parking lot. He said returned to the inside of the bank, and noticed that Deputy Garcia was talking with his Field Supervisor, Sergeant Robert Sardlarski [redacted] Deputy Munoz said Sergeant Sardlarski and Deputy Garcia were talking with Suspect's Perez and Pulido. He advised Deputy Garcia and Sergeant Sardlarski that there was no one inside the green vehicle, parked in the bank's parking lot. Deputy Munoz then asked Suspect Perez to describe Suspect Cervallos. He said she told him that Suspect Cervallos had blond hair and was wearing a white T-shirt.

Deputy Munoz said Sergeant Sardlarski told him that he had remembered seeing a male Hispanic (Suspect Sanchez) and a female blond (Suspect Cervallos) walking northbound through the parking lot from the Bank of America. Deputy Munoz said Deputy Walker entered the bank and heard the conversation describing the two suspects. He said Deputy Walker ran out of the bank, entered his patrol vehicle. Deputy Munoz said Deputy Walker was working Walnut Unit, 292D. He said Deputy Walker was working a two man unit, and his partner was Deputy Thomas Lanning. Deputy Munoz told Investigators that he did not believe Deputy Lanning entered the bank with Deputy Walker.

Deputy Munoz said he then exited the bank, to determine if Suspect's Perez or Pulido had any outstanding warrants. He said as he left the bank, Deputies Walker and Lanning began driving north through the parking lot. Deputy Munoz said he entered his vehicle and he and Sheriff's Explorer, [redacted] heard "popping sounds". He said the popping sounds were emanating from the direction that Deputies Walker and Lanning had driven to. Deputy Munoz said he recognized the popping sounds as gunfire. He told Investigators he then drove his patrol vehicle out of the Bank of America parking lot, to northbound Diamond Bar Boulevard. Deputy Munoz said as he neared the east/west driveway, south of the Washington Mutual Bank, he observed Deputy Walker and Deputy Lanning detaining a female on the north side of the driveway.

Deputy Munoz said Deputy Walker and Deputy Lanning motioned him to continue northbound on Diamond Bar Boulevard. He was asked if he heard any emergent radio traffic regarding the shooting. He said no radio traffic had come out regarding the shooting at that time. Deputy Munoz said he knew there were two individuals who had left the bank, and he determined that the male (Suspect Sanchez) must have "taken off". He told Investigators as he continued northbound on Diamond Bar Boulevard, he observed two patrol vehicles parked west of Diamond Bar Boulevard, on Clear Creek Canyon Road. Deputy Munoz said as he continued towards the two patrol vehicles, he heard additional shooting. He said he saw Deputy Coussa and another Deputy shooting their handguns. He was asked if he knew who the other deputy was who was involved in the shooting. He said he could not tell who that deputy was. He was asked if he observed who the deputies were shooting at. Deputy Munoz said he could not see the suspect.

Deputy Munoz said he parked his patrol vehicle, grabbed his shotgun, and began to walk towards the suspect. He said he could hear Deputy Coussa ordering the suspect to "get his hands away from his body". Deputy Munoz said he looked under some bushes and could see the suspect was lying on his stomach, with his head to the north and his legs to the south. He said the suspect was not moving at this time. Deputy Munoz said he approached the suspect with his shotgun, and placed the shotgun against the back portion of the suspect's head, and told him not to move. Deputy Munoz said he then kicked a handgun away from the suspect's reach. He said the handgun was laying approximately eight inches away from the suspect's right hand. He was asked to describe the handgun. Deputy Munoz said the handgun was a dark or rust colored revolver with a brown handle.

Deputy Munoz said after kicking the handgun away from the suspect, Deputy Coussa ran up and grabbed the suspect's right arm. He said he grabbed the suspect's left arm and they placed the suspect in handcuffs. Deputy Munoz said a unidentified Deputy Sheriff handed him the suspect's handgun. He said he held onto the handgun, as Fire Paramedics and Medical Personnel began to arrive at the scene. Deputy Munoz said he could hear the suspect still breathing when medical personnel were administering care to the suspect. He was asked if he heard the suspect communicating with anyone. He said he never heard the suspect say anything.

Deputy Munoz said after the shooting, he asked Deputy Coussa if he was alright. He Said Deputy Coussa said he was fine. Deputy Munoz said that Deputy Coussa told him the suspect had tried to "kill him". He said after the shooting, Deputy Olivas arrived. Deputy Munoz said he initially believed that Deputy Olivas was involved in the shooting, but later he determined that he was not. He told Investigators after the shooting, he learned that Deputy Barnes was the deputy who was involved in the shooting with Deputy Coussa. Deputy Munoz said before he determined that Deputy Barnes was involved in the shooting, he asked him to return to the Bank of America and assist Deputy Garcia with the two suspects (Perez &

Pulido) who were still there. Deputy Munoz told Investigators had he realized that Deputy Barnes was involved in the shooting, he would have not requested him to return to the bank. The interview was concluded.

At 0115 hours, Investigators conducted an interview with **VICTIM #1, DEPUTY BRIAN WALKER #**[redacted] at Walnut Station. Sergeant Michael Berg from Internal Affairs Bureau was present for the interview.

Deputy Walker said he has been a Los Angeles County Deputy Sheriff for the past eleven years. He said he has been assigned to Walnut Station for the past five years. Investigators observed Deputy Walker was wearing blue jeans and a green pull-over shirt. The green shirt had Los Angeles County Sheriff's chevrons on both shoulders and a Los Angeles County Sheriff's Star located over the left chest. On the back of the shirt, Investigators noted the word "SHERIFF" written in large bold block letters. He was asked if he was wearing the same clothing yesterday (11-1-2001) during his shift. He said he was. Deputy Walker said yesterday (-11-1-2001) he was assisting to a Diamond Bar, Special Problems Car, Unit, 292D. He told Investigators 292D was a two man car, and his partner yesterday was Deputy Tom Lanning. Deputy Walker said he was the bookman, and Deputy Lanning was the driver of their marked black and white sheriff's vehicle.

Deputy Walker said yesterday, he and Deputy Lanning responded to a "Voiced, Forgery Now Call", at the Bank Of America. He said they received the call while they were at the Diamond Bar Service Center. Deputy Walker said they arrived at the Bank of America approximately one minute later. He said when they arrived at the bank, Deputy Garcia and another Sheriff's's Patrol Vehicle were already there. Deputy Walker said he and Deputy Lanning entered the bank and observed two suspects (Perez & Pulido) being detained. He told Investigators they were informed that there were two additional suspects outside the bank. Deputy Walker said after receiving the descriptions of the two suspects who were outside the bank, he and Deputy Lanning realized that they had past them, en route to the call.

Deputy Walker said he and Deputy Lanning left the bank, entered their patrol vehicle and began to drive north through the parking lot. He said they stopped their patrol vehicle, in the east/west driveway, south of the Washington Mutual Bank. Deputy Walker said their patrol vehicle was parked facing west, towards Diamond Bar Boulevard. He said they observed a male and a female (Suspect's Cervallos & Sanchez) walking north towards them on the east side sidewalk, of Diamond Bar Boulevard. Deputy Walker said both suspects were walking together, side by side. He and Deputy Lanning exited their patrol vehicle, and he walked around to the driver's side, and began to walk south on the sidewalk towards the suspects. Deputy Walker said he told the two suspects he wanted to talk to them and directed them to his patrol vehicle.

Deputy Walker said both suspects initially complied and they walked north towards him and Deputy Lanning. He said both the suspects walked north to the driveway. Deputy Walker said the female (Suspect Cervallos) continued to walk towards him, however, he said "out of the corner of his eye" he observed the male (Suspect Sanchez) start to back up, east away from him and Deputy Lanning. He said as Suspect Sanchez was backing up in the east/west driveway, he observed him lift his shirt and remove, what he thought was a sawed-off rifle, from the front portion of his pants. Deputy Walker said Suspect Sanchez was "relatively close" when he lifted his shirt and removed the firearm. He told Investigators when Suspect Sanchez retrieved his firearm from his pants, Suspect Cervallos was standing next to him, near the front of his patrol vehicle.

Deputy Walker said Suspect Sanchez pointed the gun at him and Deputy Lanning, at which time he went to the north/west corner of the Red Robin Restaurant. Deputy Walker said Deputy Lanning and Suspect Cervallos were at the front of the patrol vehicle, at this point. He said Suspect Sanchez began "firing rounds". Deputy Walker said he heard one gunshot before he reached the north/west corner of the restaurant. He said when he was at the north/west corner of the restaurant, he lost view of Suspect Sanchez. Deputy Walker said at that time, he saw Deputy Lanning firing rounds and heard more gunshots coming from the suspects' direction. He told Investigators he observed the windows of his patrol vehicle being "blown out".

Deputy Walker said during the gun battle, Suspect Cervallos was lying on the ground in front of the patrol vehicle. He was asked in what direction Deputy Lanning was firing his service weapon. He said Deputy Lanning was firing eastbound in the driveway. He was asked how many times Suspect Sanchez fired at Deputy Lanning before Deputy Lanning fired his service weapon back at the suspect. He said the suspect fired at least one time, before Deputy Lanning returned fire. Deputy Walker was asked if he knew how many times Deputy Lanning fired his service weapon. He told Investigators there were "numerous shots fired".

Deputy Walker said after the initial gunshots, Suspect Sanchez ran west in the east/west driveway towards the rear of the patrol vehicle. He said when Suspect Sanchez reached the rear of the patrol vehicle, Deputy Lanning and the suspect were still exchanging gunshots. Deputy Walker said as the suspect went to the north side (passenger's side) of the patrol vehicle, he (Suspect) and Deputy Lanning were still shooting at one another. He said Suspect Sanchez then ran west past the patrol vehicle, and Deputy Lanning, onto Diamond Bar Boulevard. Deputy Walker said the suspect continued to run, and ran northbound on Diamond Bar Boulevard to Clear Creek Canton Road, out of view .

Deputy Walker was asked if he saw Suspect Sanchez at the rear of his patrol vehicle, with a gun in his hand. He said yes. He was asked if the suspect was firing his gun at that time. Deputy Walker said he couldn't tell, however he still was hearing gunshots. He was asked

how close the suspect got to Deputy Lanning when he (Suspect Sanchez) ran west past the patrol vehicle. Deputy Walker said within a "couple feet, they were very close". Deputy Walker said when the suspect ran by Deputy Lanning, he heard gunshots being fired.

Deputy Walker said after the suspect was running away from him and Deputy Lanning, he re-joined Deputy Lanning at the front of the patrol vehicle. He told Investigators when he was at the front of the patrol vehicle, Suspect Cervallos was attempting to get up so he pushed her back onto the ground. Deputy Walker said Deputy Lanning then entered their patrol vehicle and started to pursue the suspect who was running north on Diamond Bar Boulevard. He said after Deputy Lanning left, Suspect Cervallos told him that she had nothing to do with the incident. He said she was initially cooperative, but later she began to struggle. Deputy Walker said he learned later that Suspect's Cervallos' leg had been ran over by Deputy Lanning when Deputy Lanning drove the patrol vehicle after Suspect Sanchez.

Deputy Walker said a short time after Deputy Lanning left, Deputy Garcia stopped at his location and assisted him in handcuffing Suspect Cervallos. He said after Suspect Cervallos was handcuffed, she was placed into Deputy Garcia's patrol vehicle and they drove to Clear Creek Canyon Road. He was asked how many Sheriff's vehicles were at Clear Creek Canyon Road when he and Deputy Garcia arrived. He said he believed there were two other patrol vehicles at the location. He was asked if he heard gunshots emanating from the area of Clear Creek Canyon Road. He told Investigators that after Deputy Lanning left, he heard numerous shots emanating from that area. The interview was concluded.

At 0155 hours, Investigators conducted an interview with **VICTIM #2, DEPUTY THOMAS LANNING** [redacted] at Walnut Station.

Deputy Lanning said he has been a Los Angeles County Deputy Sheriff for the past twelve years. He said he has been assigned to Walnut Station for over fours years. Investigators observed Deputy Lanning dressed in a pair of blue jeans and a green pull-over shirt. The shirt had Los Angeles County Sheriff's chevrons on both shoulders, and a Los Angeles County Sheriff's Star over the left side chest. On the back of the shirt, Investigators observed the word "SHERIFF" written in large bold letters. Deputy Lanning said yesterday (11-1-2001), during his shift, he was dressed in the same fashion.

At 0159 hours, Los Angles County Sheriff's Firearm Expert, Deputy Jeffrey Walley took custody of Deputy Lanning's service weapon, 9mm Beretta handgun (Evidence Held Item #40). Deputy Walley noted Deputy Lanning's Beretta had fifteen live rounds in the magazine, and one round in the chamber. Deputy Lanning also had one magazine with one live round in it. Deputy Lanning advised Investigators that he reloaded his Beretta in the field, during the shooting.

Deputy Lanning said yesterday (11-2-2001), he was assigned to the Diamond Bar, Special Problems Unit, 292D. He said he was the driver of the marked black and white unit, and Deputy Brian Walker was his partner, and bookman. He said at approximately 1530 to 1600 hours, they heard a voiced "Forgery Now Call". Deputy Lanning said he and Deputy Walker heard the call when they were at the Diamond Bar Service Center. He told Investigators he and his partner, Deputy Walker arrived at the location (Bank of America) two to three minutes later. Deputy Lanning said when they arrived, they parked, exited their patrol vehicle, and entered the bank. He said Deputy Garcia, Deputy Munoz and Sergeant Sardlarski were already at the bank. Deputy Lanning said he and his partner entered the bank and observed two individuals(Suspects Perez & Pulido) being detained.

Deputy Lanning said he had a brief conversation with Suspect Perez, and she told him that a female with blond hair had brought her to the bank. Deputy Lanning told Investigators that prior to arriving at the Bank of America, he and Deputy Walker had observed a male Hispanic(Suspect Sanchez) and a female Hispanic (Suspect Cervallos) walking northbound in the parking lot. Deputy Lanning said he and Deputy Walker exited the bank, entered their patrol vehicle, and drove north through the parking lot. He said they parked their vehicle, and walked into the Washington Mutual Bank searching for the two suspects. Deputy Lanning told Investigators they did not locate the suspects in the Washington Mutual Bank.

Deputy Lanning said they exited the bank, drove and parked in the east/west driveway, south of the Washington Mutual Bank. He said their vehicle was facing west, and was just east of Diamond Bar Boulevard. Deputy Lanning said he looked to the south, and saw a male and female (Suspects Perez & Sanchez) walking northbound on the east sidewalk of Diamond Bar Boulevard. He and Deputy Walker exited their vehicle and they stood at the driver's side, in front of the vehicle. Deputy Lanning told Investigators he and Deputy Walker simultaneously told the suspects they wanted to talk to them. He said both suspects initially complied and walked north towards the patrol vehicle. Deputy Lanning said at some point, Deputy Walker yelled "let me see your hand". Deputy Lanning believes Deputy Walker was directing that comment to Suspect Cervallos, because he (Deputy Lanning) had observed Suspect Cervallos "do something with her hand".

Deputy Lanning said he motioned for Suspect Sanchez to come to his patrol vehicle. Deputy Lanning said he was approximately four feet from Suspect Sanchez and was about to grab his hand, and pat him down when Suspect Sanchez pulled up his shirt and removed a revolver from his waistband. He said Suspect Sanchez pointed the revolver "straight at me". Deputy Lanning told Investigators after Suspect Sanchez pointed the handgun at him, he (Suspect Sanchez) began to backup eastbound in the east/west driveway, away from him. He said when Suspect Sanchez pulled the handgun from his waistband, Suspect Cervallos started to scream, ran in front of him (Deputy Lanning) , and "dove" somewhere in front of the patrol

vehicle. Deputy Lanning was asked how far he was from Suspect Sanchez, when he pulled the handgun from his waistband. Deputy Lanning said approximately eight to ten feet.

Deputy Lanning was asked if Suspect Sanchez said anything, prior to pulling out the revolver. He said no. He was asked where his partner, Deputy Walker was at. Deputy Lanning said he was to his right (south). Deputy Lanning was asked what he did after Suspect Sanchez pointed the handgun at him. He said he "drew his Beretta" and yelled to Deputy Walker, "He's got a gun". Deputy Lanning said he then stepped to the front, driver's side of his vehicle, as Suspect Sanchez shot at him. He told Investigators he believed Suspect Sanchez initially shot at him twice, before he returned fire. Deputy Lanning was asked his "state of mind" when Suspect Sanchez pointed the handgun at him. He said he "couldn't believe" the suspect did such a "foolish thing" for a forgery violation. Deputy Lanning said he "firmly believed" Suspect Sanchez was going to kill him. He told Investigators he returned fire at the suspect. He was asked how many times he initially shot at Suspect Sanchez. Deputy Lanning said three to four times.

Deputy Lanning said his first three to four shots were fired in a south/east direction at Suspect Sanchez. Deputy Lanning was asked what the suspect did after he (Deputy Lanning) had fired three to four shots at him. He told Investigators Suspect Sanchez ran west to the rear of the patrol vehicle and crouched down. Deputy Lanning said the suspect "popped up" from the trunk area of the patrol vehicle and shot at him again. He said when Suspect Sanchez "popped up", he (Deputy Lanning) fired four to five more times, through the wind shield of the patrol vehicle at him. Deputy Lanning said when he fired at the suspect, he (Deputy Lanning) was directly in front of his patrol vehicle, and the suspect was still at the rear of the patrol vehicle.

Deputy Lanning was asked where his partner, Deputy Walker was at this time. Deputy Lanning said, "you know, I think he was over here, taking cover behind this building". Deputy Lanning, using a sketch of the location, indicated Deputy Walker was behind the north/west coroner of the restaurant, south of the shooting location. Deputy Lanning said Suspect Sanchez then crouched down around the passenger side of the patrol vehicle, and proceeded west towards him. Deputy Lanning said Suspect Sanchez stopped at the passenger's side door and as he (Deputy Lanning) was attempting to put some of the patrol vehicle between him and the suspect. He said the suspect again "popped up" at him and pointed his gun at him. Deputy Lanning said he believed the suspect shot at him again, from the passenger side door. He told Investigators he shot at the suspect a couple more times, and realized he (Deputy Lanning) was not getting a "good angle" to shoot at the suspect. Deputy Lanning said he took a few steps to his left (north) to better observe where the suspect was located at.

Deputy Lanning said as he walked north behind his patrol vehicle, he shot at the suspect a few more times. He said at this point, after shooting, Suspect Sanchez yelled the "F-word" and

took off running westbound towards Diamond Bar Boulevard. Deputy Lanning said after the suspect reached Diamond Bar Boulevard, he began to run north towards Clear Creek Canyon Road. Deputy Lanning was asked when the last time he remembered shooting at Suspect Sanchez. He said when the suspect was on the passenger side of his patrol vehicle. Deputy Lanning said he never fired at the suspect as he ran northbound on Diamond Bar Boulevard.

Deputy Lanning said after Suspect Sanchez fled on foot, he (Deputy Lanning) entered his patrol vehicle to pursue the suspect. Deputy Lanning said he observed his partner, Deputy Walker run to area where Suspect Cervallos was at lying. He said Deputy Walker held her at gun point, as he (Deputy Lanning) put out emergent radio traffic indicating he was involved in a shooting. Deputy Lanning then observed patrol vehicles driving north past him on Diamond Bar Boulevard. He said he yelled verbally at the deputies, that the suspect had a gun. Deputy Lanning said he yelled at Deputy Walker, making certain that he had control of Suspect Cervallos. He then drove westbound out of the driveway onto northbound Diamond Bar Boulevard. Deputy Lanning drove to Clear Creek Canyon Road and Cogburn. He said when he arrived, there were other deputy sheriffs already there. He was asked if he heard any shots while he was driving to Clear Creek Canyon Road. He told Investigators when he initially left the driveway of the Washington Mutual Bank, he heard several gunshots emanating from the area to his north.

Deputy Lanning heard two different types of gunshots emanating from the area of Clear Creek Canyon Road. He said he believed one of the gunshots, was not as loud as the Beretta's gunshot. Deputy Lanning said after he arrived at Clear Creek Canyon Road and Cogburn, he observed the suspect lying face down on a residential front lawn. He was asked if he struck Suspect Cervallos with his patrol vehicle when he left the driveway, south of the Washington Mutual Bank. He said he did not know if he hit her, however, he was told that he did hit Suspect Cervallos as he drove off. Deputy Lanning said if he did hit the suspect, it was totally unintentional. Deputy Lanning was asked how he carried his Beretta service weapon in the field. He said with one round in the magazine and fifteen rounds in the magazine. The interview was concluded.

At 0230 hours, Investigators conducted an interview with **VICTIM #3, DEPUTY JEFFREY TRIS BARNES** [redacted] at Walnut Station.

Deputy Barnes said he has been a Los Angeles County Deputy Sheriff for the past twelve years. He said he has been assigned to Walnut Station for seven months. Investigators observed Deputy Barnes was dressed in a Class A, short sleeve uniform. He was asked if he was dressed in the same uniform, yesterday (11-1-2001), during his PM Shift. He said he was.

At 0232 hours, Firearms Expert, Deputy Walley took custody of Deputy Barnes' service weapon, a 9mm Beretta, semi-automatic, (Evidence Held Item #41). Deputy Walley noted there was one 9mm round in the chamber, and two 9mm rounds in the magazine.

Deputy Barnes said yesterday, he was working, Unit 291, on the PM Shift. He said his unit is a one man car, and he started his shift at [redacted] Deputy Barnes told Investigators at approximately 1545 hours, he heard a voiced "Forgery Now" radio call. He said the radio call indicated the forgery was taking place at the Bank of America, on Diamond Bar Boulevard. Deputy Barnes said he responded to the radio call, and arrived within two to three minutes. He said when he arrived in the vicinity of the radio call, he observed a Deputy Sheriff with a female (Suspect Cervallos) lying on the ground. Deputy Barnes said he also observed a male Hispanic, wearing a blue shirt (Suspect Sanchez) running west, across Diamond Bar Boulevard.

Deputy Barnes said Deputy Walker was with Suspect Cervallos, and he was not sure if he saw Deputy Lanning with Deputy Walker. Deputy Barnes said as he continued north of Diamond Bar Boulevard, Deputy Walker yelled to him "he's got a gun". He was asked if Deputy Lanning advised him that the suspect had a gun. Deputy Barnes said he was not sure, but be believed Deputy Walker was the person who yelled, "he's got a gun". Deputy Barnes told Investigators that when Deputy Walker yelled at him, he (Deputy Walker) was in the east/west driveway, south of the Washington Mutual Bank. Deputy Barnes said as he continued north of Diamond Bar Boulevard, he observed Suspect Sanchez running ahead of him, however, he said he lost sight of Suspect Sanchez.

Deputy Barnes said he turned west onto Clear Creek Canyon Road from Diamond Bar Boulevard, and was not able to see the suspect at that time. He told Investigators he stopped his patrol vehicle at Clear Creek Canyon Road and Cogburn. Deputy Barnes said that Deputy Coussa pulled in front his patrol vehicle and stopped to his west. He told Investigators Deputy Coussa's patrol vehicle and his were side by side, slightly to the south/east. He said the patrol vehicles were facing to the west. Deputy Barnes said at this point, he was still in his patrol vehicle, with his service weapon in his hand. He said at this time, Suspect Sanchez ran south towards Deputy Coussa's patrol vehicle, firing a handgun directly at him. Deputy Barnes said he immediately started shooting at the suspect through his opened passenger's side window.

Deputy Barnes was asked if he knew where Deputy Coussa was at, when the suspect ran at his patrol vehicle, firing a handgun at him. He told Investigators he believed that Deputy Coussa was still inside his vehicle. Deputy Barnes said he fired at the suspect, because he believed the suspect was going to kill either him, or Deputy Coussa. He then exited his patrol vehicle and observed the suspect standing on the front lawn of the residence, located on the north/east corner of Clear Creek Canyon Road and Cogburn Lane. Deputy Barnes said the

suspect was approximately fifteen feet from Deputy Coussa's position, still pointing a handgun at him. Deputy Barnes said Suspect Sanchez then pointed his handgun in his direction, and he immediately began to shoot at the suspect.

Deputy Barnes said after he shot at the suspect, he (Suspect Sanchez) ran to the north edge of the grass, near the residence's driveway. He said the suspect continued to point his handgun in his direction and Deputy Coussa's direction. Deputy Barnes said he again fired shots at the suspect. Deputy Barnes said the suspect ran back south, on the lawn of the residence, as he continued to fire shots at the suspect. He observed the suspect make a sound, grab his chest and fall to the ground. Deputy Barnes said after Suspect Sanchez fell, he discontinued shooting at him. He was asked if he remembered Deputy Coussa firing shots at the suspect. He said yes.

Deputy Barnes said after the suspect fell to the ground, he was placed in handcuffs, and paramedics were called. He told Investigators after the suspect was in custody, Deputy Garcia asked him to return to the Bank of America to arrest the two suspects (Perez & Pulido) who had been left at the bank. He said he returned to the bank, along with Deputy Garcia, and they placed Suspects Perez and Pulido under arrest.

Deputy Barnes was asked how he carried his Beretta service weapon in the field. He said with fifteen rounds in the magazine and one in the chamber. He was asked if he received any injuries during the incident. Deputy Barnes said at some point during the incident, he injured his back and realized it after the shooting, when he relaxed, and felt the pain in his back. The interview was concluded.

At 0250 hours, Investigators conducted an interview with **VICTIM #4, DEPUTY PATRICK COUSSA #**[redacted] at Walnut Station.

Deputy Coussa said he has been a Los Angeles County Deputy Sheriff for the past six and a half years. He has been assigned to Walnut for the past year and four months. Investigators observed that Deputy Coussa was dressed in Class A, short sleeve uniform. He was asked if he was dressed in the same uniform, yesterday (11-1-2001) during his PM Shift. He said yes.

At 0252 hours, Firearms Expert, Deputy Walley took custody of Deputy Coussa's service weapon, a 9mm Beretta (Evidence Held Item #42). Deputy Walley noted there was one round in the chamber and four rounds in the magazine.

Deputy Coussa said yesterday, he was working, Unit 291K2, on the PM Shift. He told Investigators he was a one man unit, and started his shift at 1400 hours. Deputy Coussa said he was in the parking lot of "Mount Sac" and heard a "Forgery Now" voiced call go out. He

said the radio call indicated the location of the call was Bank of America. Deputy Coussa said he began to drive to the Bank of America and as he was traveling northbound on Diamond Bar Boulevard, from Grand Avenue, he observed either Deputy Lanning or Deputy Walker with a female (Suspect Cervallos), who was on the ground. He said either Deputy Lanning or Deputy Walker yelled at him to "go get him, he's got a gun". Deputy Coussa said he continued northbound on Diamond Bar Boulevard and turned west onto Clear Creek Canyon Road.

Deputy Coussa said as he turned west onto Clear Creek Canyon Road, he observed a male (Suspect Sanchez) running northbound on Cogburn from Clear Creek Canyon Road. He told Investigators he stopped at the corner of Clear Creek Canyon Road and Coburn and placed his patrol vehicle in park. Deputy Coussa said he looked down (north) on Cogburn, and did not see the suspect. He said he reached for the "Mike" to start to coordinate and contain the area as he began to speak on the radio, he heard a gunshot emanating from his right. Deputy Coussa said he looked to his right, and saw Suspect Sanchez running at him shooting a handgun. He saw the suspect fire two more shots at him. Deputy Coussa said he immediately drew his service weapon and shot at the suspect through his opened passenger door window.

Deputy Coussa said he opened up the driver's door and "jumped out" of the patrol vehicle, and went to the ground. He told Investigators, he continued to fire shots at the suspect while he was on the ground. Deputy Coussa said he went to the hood area of his vehicle, and took cover. He said looked over the hood and continued to fire shots at the suspect. He said he believed the suspect was on the driveway of the residence. Deputy Coussa said he crawled to the rear trunk area of his patrol vehicle, looked over the trunk and continued to fire shots at the suspect. He said as he took cover behind his patrol vehicle, and put out a 998, (Deputy involved in a shooting), two times.

Deputy Coussa said he then heard, Deputy Barnes yelling to him, "he's down, he's down". Deputy Coussa said he looked over the trunk area of his patrol vehicle and observed the suspect lying on the ground. He told Investigators he observed the suspect's handgun approximately three feet from his head. Deputy Coussa said deputies approached the suspect, and kicked the handgun away from his reach. He was asked if he was the first patrol unit on Clear Creek Canyon Road. He said he was. He was asked how far the suspect was when he first ran and shot at him. Deputy Coussa said the suspect was approximately fifteen feet from him. The interview was concluded.

At 0315 hours, Investigators conducted an interview with **SUSPECT #1, BERTHA CERVALLOS**, at Walnut Station, in the jail.



Investigator Gates advised Suspect Cervallos of her constitutional rights. She told Investigators she understood her rights and agreed to talk to them about the case without a lawyer present.

Suspect Cervallos said last night she went to the Bank Of America with "Bernie" (Suspect Sanchez) and two other individuals, named David and Anabel (Suspects Perez & Pulido). She said Suspect Perez was driving a green vehicle and she and Suspect Sanchez were seated in the rear of the green vehicle, and Suspect Perez was seated in the front passenger seat. Suspect Cervallos said she met Suspect Sanchez less than a month ago. She was asked why they went to the Bank of America. She told Investigators that Suspect Sanchez, Suspect Perez and Suspect Pulido wanted to go to the bank. She said the three suspects picked her up in Baldwin Park, and said they wanted to go to a bank. She said she believed "they were up to something". She was asked what the three suspects were going to do at the bank. Suspect Cervallos said she did not know.

Suspect Cervallos said when they arrived at the Bank of America, Suspect Sanchez gave Suspects Perez and Pulido a check. She said Suspect Pulido told them (Perez & Pulido) to go into the bank and cash the check. Suspect Cervallos said Suspects Perez and Pulido exited the green vehicle and walked into the bank. She said she and Suspect Sanchez stayed inside the vehicle. She was asked if she knew the check was Suspects Perez and Pulido were going to attempt to cash was bad. She told Investigators she did not know whether or not the check was either good or bad.

Suspect Cervallos was asked why she and Suspect Sanchez exited the green vehicle, after Suspects Perez and Pulido had gone into the bank. She said Suspect Sanchez made her. She was asked how long Suspects Perez and Pulido were in the oank, before she and Suspect Sanchez got out of the green vehicle. She told Investigators approximately a half hour. She was asked what she and Suspect Sanchez did after they exited the vehicle. She said they began walking and they saw two Deputy Sheriff's parked and exit their vehicle, at a driveway. She told Investigators the two deputies called her and Suspect Sanchez over to them. She said she began to walk to the deputies, and she began to hear shots. Suspect Cervallos said before she heard gunshots, she heard one the deputies yell, "he has a gun". She said she observed Suspect Sanchez with a gun, shooting at the deputies. She was asked many times she saw Suspect Sanchez shoot at the deputies. She said twice.

Suspect Cervallos was asked if she knew Suspect Sanchez was in possession of a gun, while they drove to the Bank of America. She said she did not know he had a gun. She was asked when she determined he did have a gun. She told Investigators when she looked and saw him with the gun in his hand, after the deputies yelled he had a gun. She was asked how long she has known Suspects Perez and Pulido. She told Investigators she met them about two hours

before they went to the Bank of America. Suspect Cervallos was asked why Suspect Sanchez did not cash the check himself. She said she did not know why he did not cash the check.

Suspect Cervallos was asked if she knew if Suspect Sanchez ever carried a gun. She said in the month she had known him, he never carried a gun, nor had she ever seen him with a gun. She was asked if she knew why Suspect Sanchez shot at the deputies. She said she did not know why he did. Suspect Cervallos said she never resisted any deputies during the entire incident. She told Investigators after Suspect Sanchez started to run away, one of the deputies entered his patrol vehicle and pursued him. Suspect Cervallos said the deputy who pursued Suspect Sanchez ran over her foot. She said after her foot was ran over, she began to move around, because she was in pain from her foot being ran over.

Suspect Cervallos was asked if Suspect Sanchez was a gang member. She said he was from East Side Baldwin Park, and went by the street name, "Scrappy". Suspect Cervallos said Suspect Sanchez picked her up from her residence in Baldwin Park. She said he used her telephone and called someone. Suspect Cervallos said after the telephone call, she and Suspect Sanchez left her residence and went picked up Suspects Perez and Pulido. She continuously told Investigators she had no knowledge that Suspect Sanchez had a gun. The interview was concluded.

At 0350 hours, Investigators conducted an interview with **SUSPECT #2, ANABEL PEREZ** at Walnut Station, in an interview room.

Investigator Gates advised Suspect Perez of her constitutional right. She said she understood her rights and agreed to talk to Investigators about the case, without a lawyer present.

Suspect Perez said yesterday, (11-1-2001), some friends told her there was a couple trying to hire someone to cash their "legit" check. She said this couple would pay fifty dollars to someone to cash the check. Suspect Perez said she and her [redacted] Suspect Pulido needed five dollars for to continue to stay at the "Econo Inn" and decided to cash the check. She told Investigators she was going to cash the check, because she had proper identification, and the individuals who the check belonged to, did not have any identification. Suspect Perez said after a telephone conversation, she and Suspect Pulido drove their vehicle. A green Honda (California License [redacted] to the location near the Queens Motel and picked up Suspects Cervallos and Sanchez.

Suspect Perez said after picking up Suspects Cervallos and Sanchez, they drove to two local banks, however, both these banks declined to cash the check for Suspect Perez. She told Investigators at both these banks, she and Suspect Pulido entered the bank, and Suspects Cervallos and Sanchez remained in the Honda. Suspect Perez said they went to the Bank of America in the city of Diamond Bar, because the check has that address on it. She said the

Bank of America was the third bank they went to. Suspect Perez said that Suspects Cervallos and Sanchez were both "real convincing" in stating the check was good.

Suspect Perez was asked how much the check was made out for, that she was attempting to cash. She said $390.84. She told Investigators that Suspect Cervallos told her that she received the check for "babysitting". She was asked how long she and Suspect Pulido knew Suspects Cervallos and Sanchez. Suspect Perez said they met them when she and her boyfriend, Suspect Pulido picked them up, near the Queens Motel. She told Investigators when she and Suspect Pulido were in the Bank of America, she knew the bank personnel were calling the police. Suspect Perez said she and Suspect Pulido waited for the police to arrive at the bank, because they did "nothing to hide".

Suspect Perez was asked who's check it was so was attempting to cash. She told Investigators she believed it was Suspect Cervallos', because she (Cervallos) handed her the check, and said it was for babysitting. Suspect Perez said when Suspect Cervallos handed her the check, it had already been endorsed to her Suspect Perez). She was asked if the check appeared to have been tampered with. She said no, but it had been folded a lot. She was asked if she knew if Suspect Sanchez was in possession of a gun. She said no, if she would have known, he would have never entered their vehicle. The interview was concluded.

At 0405 hours, Investigators conducted an interview with **SUSPECT #3, DAVID PULIDO**, at Walnut Station, in an interview room.

Investigator Gates advised Suspect Pulido of his constitutional rights. Suspect Pulido said he understood his rights and rights and agreed to talk to Investigators about the case without a lawyer present.

Suspect Pulido said he was the registered owner of the green Honda. He said he has owned the vehicle for the past year and a half. He said his [redacted] is Anabel Perez. He was asked where he and Suspect Perez lived. He told Investigators they lived on the street, but when they had enough money, they stayed in motels. He was asked when he and his [redacted] met Suspects Cervallos and Sanchez. Suspect Pulido said approximately fifteen minutes before the incident at the Bank of America. He was asked how he met the two suspects. He said " a guy" at the Queens Lodge, asked Suspect Perez if she wanted to make fifty dollars. Suspect Pulido said he had a telephone conversation with a male (Suspect Sanchez) who said he needed a check cashed and would pay fifty dollars to have it cashed. Suspect Pulido said he and Suspect Perez agreed to cash the check, and drove to the corner of Garvey and Vineland. He said they picked up Suspects Cervallos and Sanchez.

Suspect Pulido said they went to a local bank, and Suspect Cervallos gave the check to Suspect Perez. Suspect Cervallos told Suspect Perez she received the check for babysitting.

He told Investigators the reason Suspect Cervallos could not cash her own check, because she did not have proper identification. Suspect Pulido said they went to two local banks, however, both these banks declined to cash the check. He said the third bank they went to was the Bank of America in the city of Diamond Bar. He was asked if he ever thought the check was fraudulent. He said he never thought the check was bad. He was asked if he knew that Suspect Sanchez was in possession of a gun. He said he did not know, and if he would have known, Suspect Sanchez would have never entered his vehicle. The interview was concluded.

On November 3, 2001, at 1000 hours, the Los Angles County Coroner's Office performed a post mortem examination of Suspect Sanchez. Doctor Riley performed the autopsy. Investigators, along with District Attorney Investigator Vinnes were present for the examination. Doctor Riley advised Investigators the suspect was shot twice in the upper abdomen. He told Investigators both shots struck the suspect's liver, and both shots were fatal. At 1039 hours, Doctor Riley recovered a projectile (Evidence Held Item #43). At the conclusion of the examination, Investigators took custody of the projectile recovered from the suspect's body.

On November 5, 2001, Firearms Expert, Deputy Walley and Crime Scene Investigator, Deputy Dale Falicon processed the Los Angeles County Sheriff's vehicles involved in deputy involved shooting. Deputies Walley and Falicon processed the three black and white vehicles at Walnut Sheriff's Station. They recovered seventeen pieces of ballistic evidence (Evidence Held Items, JBW #1-17)

On November 9, 2001, at 1745 hours, Investigators conducted an interview with **WITNESS #13,** [redacted] District Attorney Investigator [redacted] was present for the interview.

Witness [redacted] said on November 1, 2001, at approximately 1615 hours, he was at the Washington Mutual Bank, withdrawing currency from the Automatic Teller Machine, located on the west facing wall of the bank. He observed two Deputy Sheriff's walking out of the bank, towards their vehicle. Witness [redacted] said he next heard the deputies yelling, "Get down", and to "put your hands up". He told Investigators he looked in the direction of the deputies, and observed a male and a female. Witness [redacted] said he observed the female "slumped" over the front portion of the patrol vehicle. He said the patrol vehicle was parked facing west, in the driveway south of the Washington Mutual Bank. Witness [redacted] told Investigators he ducked behind a bank pillar and heard fifteen to twenty gunshots. He was asked if he observed any part of the shooting. He said he did not.

Witness [redacted] during the shooting, an [redacted] of Washington Mutual, opened the door, and yelled for him to enter the bank. He said after he entered, the bank, the employee locked the door. He said after he was inside the bank, he looked out the window and observed one

deputy with a female, and the other deputy entering a patrol vehicle. He was asked if he heard any additional shots. He said no. the interview was concluded.

At 1820 hours, Investigators conducted an interview with **WITNESS #14,** [redacted] District Attorney Investigator [redacted] was present for the interview.

Witness [redacted] said on November 1, 2001, she was in the parking lot of the mall, located on the east side of Diamond Bar Boulevard. She said was sitting in her vehicle, in the driveway south of the Washington Mutual Bank. Witness [redacted] said she was approximately thirty east of Diamond Bar Boulevard, facing west in her vehicle. She said she observed a patrol vehicle ahead of her. Witness [redacted] said she observed two deputies exit the patrol vehicle. She told Investigators she believed one of the deputies walked to the front of the patrol vehicle and the other deputy walked to the rear of the patrol vehicle. Witness [redacted] said she then heard gunshots, and observed the two Deputy Sheriff's running around their vehicle, shooting a male with dark skin (Suspect Sanchez).

Witness [redacted] was asked if she observed who shot first, the deputies, or Suspect Sanchez. She said she did not know. She told Investigators after the shooting, she observed Suspect Sanchez running across Diamond Bar Boulevard. Witness [redacted] said as Suspect Sanchez was running from the deputies, she observed one deputy holding a female (Suspect Cervallos) onto the ground. She said the other deputy entered his patrol vehicle and pursued Suspect Sanchez. Witness [redacted] was asked if she observed Suspect Sanchez with a handgun. She said she did not see him with a gun. She was asked if she heard additional gunshots. Witness [redacted] said approximately five to six minutes later, she heard additional gunshots coming from the north. The interview was concluded.

At 1855 hours, Investigators conducted an interview with **WITNESS #15,** [redacted] District Attorney Investigator [redacted] was present for the interview.

Witness [redacted] said on November 1, 2001, during the afternoon, he was at the "Whole Enchilada", approximately thirty yards east of the Washington Mutual Bank in Diamond Bar. He observed a male Hispanic (Suspect Sanchez) run around a white pick-up trunk and then "open fire" on a police car. He was asked if he observed any Deputy Sheriff's in the area. He said not initially. Witness [redacted] said after the shooting, he observed Suspect Sanchez running away, north/west across Diamond Bar Boulevard. He said at that time, he observed a Deputy Sheriff holding a female (Suspect Cervallos) onto the ground. Witness [redacted] told Investigators he heard a total of approximately ten gunshots.

Witness [redacted] said Suspect Sanchez after the initial shooting, he observed additional patrol vehicles driving in the area. He said at some point, he saw a deputy sheriff enter the patrol vehicle Suspect Sanchez was shooting at. Witness [redacted] said the Deputy Sheriff who entered

this patrol vehicle, drove after and pursued Suspect Sanchez. He told Investigators a few moments later, he heard additional gunshots coming from the north. He was asked if he heard any conversation between the deputies and Suspect Sanchez. He said he heard the female, (Suspect Cervallos) screaming during the shooting, however, he could not understand her words. The interview was concluded.

At 1925 hours, Investigators conducted an interview with **WITNESS #16,** [redacted] District Attorney Investigator [redacted] was present for the interview.

Witness [redacted] said on November 1, 2001, he was at the Washington Mutual Bank drive up teller window, on the west side of the bank. He was an [redacted] at the bank, assisting customers. Witness [redacted] told Investigators he heard his [redacted] screaming, stating for him to get down. He said approximately one second later, he heard at least ten to fifteen gunshots. Witness [redacted] said the gunshots were fired in rapid succession. Witness [redacted] told Investigators after he heard, he observed a man (Suspect Sanchez) running north/west across Diamond Bar Boulevard, and two Deputy Sheriff's with their guns drawn.

Witness [redacted] was asked if he observed anything in Suspect Sanchez' hands, as he ran across Diamond bar Boulevard. He said he did see something in Suspect Sanchez' hands, however, he could not discern what the object was. Witness [redacted] told Investigators he observed Suspect Sanchez run into a residential neighborhood, towards a house. He said he observed Suspect run into the front yard of the house. Witness [redacted] was asked if he heard any gunshots in the residential area. He said no. The interview was concluded.

At 2045 hours, Investigators conducted an interview with **WITNESS #17,** [redacted] District Attorney Investigator [redacted] was present for the interview.

Witness [redacted] said on November !, 2001, at 1600 hours, he [redacted] as a [redacted] at the Washington Mutual Bank, in the city of Diamond Bar. He said he observed a male and female Hispanic (Suspects Sanchez & Cervallos) walking northbound on the east side of Diamond Bar Boulevard. Witness [redacted] two Deputy Sheriff's tried to stop the suspects as they walked northbound towards them. He told Investigators as they deputies tried to suspect the two suspects, the male, Suspect Sanchez "drew his gun" and shot approximately five to six times at the two deputies. Witness [redacted] said the two deputies took cover in their patrol vehicle, and Suspect Sanchez ran north/west on Diamond Bar Boulevard, towards the "Mormon Church".

Witness [redacted] told Investigators after immediately after he observed Suspect Sanchez running towards the Mormon Church, he went into the Washington Mutual Bank and closed and locked the doors. He said after he went into the bank, he did not observe any additional

activity, relative to the deputies and Suspect Sanchez. He was asked where Suspect Sanchez drew his gun from. He told Investigators that Suspect Sanchez removed his gun from inside the front of his pants. He was asked if he heard any additional shots, after Suspect Sanchez ran past the Mormon Church. He said no. The interview was concluded.

On November 13, 2001, at 1605 hours, Investigator Gates conducted an interview with **WITNESS #18, FIREFIGHTER/PARAMEDIC JAMES HINIG.**

Witness Hinig said he has been a Los Angeles County Firefighter for the past twenty years. He said he has been a Licensed Paramedic for the past nineteen years. Witness Hinig said on November 1, 2001, he was working Paramedic Squad #119, along with Firefighter/ Paramedic Reimer. He told Investigator Gates at approximately 1600 to 1630 hours, they received a rescue call at the corner of Clear Creek Canyon Road and Cogsburn Lane, in the city of Walnut. Witness Hinig said they arrived at the location and observed the Suspect Sanchez lying face up in the front yard of a residence. He was asked if he knew if the suspect was handcuffed at that time. He said he did not know.

Witness Hinig said after arriving at the location, he began to "chart" the suspect and consult with Los Angeles County Fire Captain Horton. He said he did not observe any obvious trauma on the suspect at that time. Witness Hinig told Investigators he was the "Radio Man" and did not have direct contact with Suspect Sanchez. He said Captain Horton advised him the suspect had sustained two gunshot wounds. Witness Hinig said the suspect received basic and advanced life support by the paramedics at the location. He told Investigator Gates the suspect was then transported to San Dimas Community Hospital. He said the suspect was taken to the hospital by "Emergency Ambulance Company". Witness Hinig said his partner, Firefighter/ Paramedic Reimer accompanied Suspect Sanchez to the hospital.

Witness Hinig said when they first arrived at the location, Suspect Sanchez had just gone into "full arrest", and was pulse less, and non-breathing . He was asked if he had any conversation with Suspect Sanchez. He said no. Witness Hinig said just prior to Suspect Sanchez being transported, he observed two gunshot wounds to his upper abdomen. The interview was concluded.

At 1615 hours, Investigator Gates conducted an interview with **WITNESS #19, FIREFIGHTER/PARAMEDIC WERNER REIMER.**

Witness Reimer said he has been a Los Angeles County Firefighter for the past fourteen years. He said he has been a Licensed Paramedic for the past sixteen years. Witness Reimer said November 1, 2001, at approximately 1600 to 1630 hours, he and his partner, Paramedic/ Firefighter Hinig were working Paramedic Squad #119. He said they were called to the intersection of Clear Creek Canyon Road and Cogsburn Lane. He said they arrived at

location, and he observed Suspect Sanchez lying on his back on the front lawn of a residence. Witness Reimer said the suspect had one handcuff around one wrist, and his other wrist was free. Witness Reimer told Investigator Gates he was "Patient Man" and Paramedic Hinig was Radio Man. He said he was advised that Suspect Sanchez had two center mass gunshot wounds, from the front. Witness Reimer told investigator Gates the suspect had one exit wound in his back.

Witness Reimer said the suspect was pulse less and not breathing when he and Paramedic Hinig arrived at the location. He told Investigator Gates he started advanced life support and Intravenous lines (IV's) at that time. Witness Reimer said when he arrived, the suspect had no electrical activity in his heart. He said Suspect Sanchez was then transported to San Dimas Community Hospital, Emergency Ambulance Company . Witness Reimer said he accompanied the suspect in the ambulance. Witness Reimer told Investigator Gates that en route to the hospital, Suspect Sanchez was given chest compressions and artificial ventilation (CPR). Witness Reimer said after arriving at the hospital, Doctor Peek took over medical treatment of Suspect Sanchez. He said within a few moments, Doctor peek pronounced the suspect dead. The interview was concluded

At 1705 hours, Investigator Gates conducted an interview with **WITNESS #20, CAPTAIN DONALD HORTON.**

Witness Horton said he has been a Los Angeles County Firefighter for the past twenty eight years. He said prior to working for the Fire Department, he was a Los Angeles County Deputy Sheriff for four years. Witness Horton said on November 1, 2001, at approximately 1615 hours, he and his subordinates were working out of Station #120. He said they received a "shooting call" at Clear Creek Canyon Road and Cogsburn Lane, in the city of Diamond Bar. He was the first Fire Company to arrive at the location. Witness Horton said when he arrived at the location, a male Hispanic (Suspect Sanchez) was lying face up on the front lawn of a residence.

Witness Horton said when he initially arrived, the suspect was handcuffed, with both hands behind his back. He observed two small apparent bullet holes to the front chest area of the suspect. He said he asked the Deputy Sheriff's to remove the handcuffs, and they did so right away. Witness Horton said he and his Paramedics immediately began to medically treat Suspect Sanchez. He said the suspect given "o2" (oxygen) and paramedics attempted to start a IV line. He told Investigator Gates the suspect was put on the "scope" and he had a "weak pulse". Witness Horton said the suspect went "flat line" within the first 120 seconds of their medical treatment. He said the paramedics from Squad #119 (Hinig & Reimer), arrived at the location at the approximate time the suspect went flat line.



Witness Horton said Emergency Ambulance Company arrived at the same time the Paramedics Hinig and Reimer arrived. He said the ambulance transported the suspect to San Dimas Community Hospital. Witness Horton told Investigator Gates he initially ordered an "Air Squad" to the location to transport the suspect. However, he said when the suspect went into full arrest, he canceled the Air Squad. Witness Horton explained to Investigator Gates that an Air Squad is not equipped to handle a full arrest, or to perform CPR. He was asked if Suspect Sanchez had any communication with him, or with his subordinates. He said Suspect Sanchez attempted to mouth something, however, he (Witness Horton) could not determine what he was trying to tell him. The interview was concluded.

On November 14, 2001, at 1040 hours, Investigators conducted an interview with **WITNESS #21,** [redacted]

Witness said on November 1, 2001, at approximately 1600 hours, he exited the Washington Mutual Bank and walked to the parking lot south/east of the bank. He said he was in the bank parking lot, paying his [redacted] Witness [redacted] told Investigators he observed two Deputy Sheriff's interviewing a male and female Hispanic. He said the deputies were interviewing the two Hispanics in front of the their patrol vehicle. Witness [redacted] said as he was paying his [redacted] he heard gunshots coming from the area where the deputies were interviewing the two Hispanics.

Witness [redacted] said he looked in the direction of the gunshots and observed the male Hispanic (Suspect Sanchez) backing up towards Diamond Bar Boulevard shooting a handgun at the two deputies. He said when Suspect Sanchez shot at the deputies, he (Suspect Sanchez) was backing up westbound into Diamond Bar Boulevard. Witness [redacted] was asked if he heard any conversation between Suspect Sanchez and the two deputies. He said no. he was asked if he observed the deputies return fire at Suspect Sanchez. He said no, however, he did hear additional gunshots. Witness [redacted] said after the gunshots, he observed one of the deputies run from the rear of his patrol vehicle and had the female Hispanic (Suspect Cervallos) lay down. He told Investigators the other deputy entered his patrol vehicle and pursued Suspect Sanchez.

Witness [redacted] said a short time later, another Deputy Sheriff arrived and assisted in the handcuffing of Suspect Cervallos. He said asked how long he heard gunshots. Witness [redacted] said approximately fifteen seconds elapsed between the first and last gunshot. He told Investigators he heard approximately eight to twelve gunshots. Witness [redacted] said after the initial eight to twelve gunshots, he heard approximately ten to twelve additional gunshots emanating from the west. He said the second volley of gunshots came approximately two minutes after the first set of gunshots. The interview was concluded.

On November 15, 2001, at 1605 hours, Investigators conducted a follow up interview with **VICTIM #1, DEPUTY BRIAN WALKER.** Sergeant Michael Berg from Internal Affairs Bureau was present for the interview.

Deputy Walker was asked why he didn't shoot during the incident. He told Investigators the only time he had a shot at Suspect Sanchez was when Suspect Sanchez was on the passenger side of his patrol vehicle. He said when Suspect Sanchez was on the passenger side of the patrol vehicle, there were a "half dozen" people standing in front of Washington Mutual Bank. Deputy Walker said he had been in the bank approximately two minutes before and had observed thirty people inside the bank. Deputy Walker said he a had a "slim" chance to hit the suspect, and a high probability of hitting an innocent person. The interview was concluded.

BY: **DETECTIVE JIM GATES #[redacted]**
DETECTIVE DAVID CASTILLO #[redacted]
APPROVED: **LIEUTENANT LARRY LINCOLN** LT. LINCOLN [redacted] 11/30/01
ASSIGNED: **HOMICIDE BUREAU/DETECTIVE**

SECRETARY______________________________